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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Belarus,* Cuba, Russian Federation, Venezuela (Bolivarian Republic of): draft resolution

31/... Integrity of the judicial system

The Human Rights Council,

Guided by articles 5, 6, 7, 8, 10 and 11 of the Universal Declaration of Human Rights and articles 2, 4, 6, 7, 10, 14, 15, 16 and 26 of the International Covenant on Civil and Political Rights, and bearing in mind the Vienna Declaration and Programme of Action,

Recalling the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance,

Recalling also other important documents on the issue of the integrity of the judiciary endorsed by various forums of the United Nations, in particular the Basic Principles on the Independence of the Judiciary, the Basic Principles on the Role of Lawyers, the Guidelines on the Role of Prosecutors, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, the Standard Minimum Rules for the Treatment of Prisoners, the Basic Principles for the Treatment of Prisoners, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and the Safeguards guaranteeing protection of the rights of those facing the death penalty, as well as the Bangalore Principles of Judicial Conduct,

Recalling further its resolutions 19/31 of 23 March 2012 and 25/4 of 27 March 2014, as well as the previous resolutions on the subject of the Commission on Human Rights,

Stressing that most of the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment are not territorially limited and cannot be read as restricting or limiting States' obligations to respect the rights of all persons, anywhere in the world, to be free from torture and ill-treatment,

* Non-member State of the Human Rights Council.

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Convinced that the integrity of the judicial system, together with its independence and impartiality, is an essential prerequisite for the protection of human rights and fundamental freedoms, for upholding the rule of law and democracy and ensuring that there is no discrimination in the administration of justice,

Noting with concern that the lack of and discrimination in access to justice can cause grave violations of the human rights of those deprived of such access,

Stressing that the integrity of the judiciary should be observed at all times,

1. *Notes* the expert consultation on human rights considerations relating to the administration of justice through military tribunals and the role of the integral judicial system in combating human rights violations, held on 24 November 2014, in accordance with Human Rights Council resolution 25/4, and the report on its outcome;[1]

2. *Takes note* of the conclusions and recommendations made by the Special Rapporteur on the independence of judges and lawyers in her report, submitted to the General Assembly at its sixty-eighth session,[2] in particular that military tribunals, when they exist, must be an integral part of the general justice system and operate in accordance with human rights standards, including by respecting the right to a fair trial and due process of law guarantees;

3. *Reaffirms* the right of everyone to recognition everywhere as a person before the law;

4. *Reiterates* that, as declared in article 14 of the International Covenant on Civil and Political Rights, every person is entitled, in full equality, to a fair and public hearing by a competent, independent and impartial tribunal duly established by law, in the determination of his or her rights and obligations and of any criminal charge against him or her, and that he or she is entitled to the presumption of innocence until proved guilty according to law;

5. *Notes* that, according to paragraph 5 of the Basic Principles on the Independence of the Judiciary, everyone has the right to be tried by ordinary courts or tribunals using established legal procedures, and that tribunals that do not use duly established procedures of the legal process shall not be created to displace the jurisdiction belonging to the ordinary courts or judicial tribunals;

6. *Underlines* that any court trying a person charged with a criminal offence should be competent, independent and impartial;

7. *Underlines* the importance of the full respect for the rule of law and the guarantees of due process in order to ensure that all areas of public activities fall within the reach of legal remedies;

8. *Urges* States to guarantee that all persons brought to trial before courts or tribunals under their authority have the right to be tried in their presence, to defend themselves in person or through legal assistance of their own choosing and to have all the guarantees necessary for their legal defence;

9. *Calls upon* States to ensure that the principles of equality before the courts and before the law are respected within their judicial systems by, inter alia, providing to those being tried the possibility to examine, or to have examined, the witnesses against

[1] A/HRC/28/32.
[2] A/68/285.

them and to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses against them;

10. *Urges* States concerned to close down promptly all secret detention facilities under their jurisdiction or control situated on their territories or abroad and to ensure that all persons held in detention under their authority are provided with access to justice by ordinary courts acting in compliance with international due process and fair trial standards;

11. *Calls upon* States to investigate promptly and impartially all alleged cases of extraordinary renditions, secret detention, torture and practices tantamount to torture or other cruel, inhuman or degrading treatment, including under the pretext of countering terrorism, and to hold accountable everyone implicated, including at the highest level of authority, in ordering or executing those activities;

12. *Also calls upon* States to provide access to an effective remedy to all those who have been subject to prolonged arbitrary arrest and/or physical and mental suffering due to the lack of access to the general judicial system;

13. *Reaffirms* that every convicted person should have the right to have his or her conviction and sentence reviewed by a tribunal of competent, independent and impartial jurisdiction according to law;

14. *Calls upon* States that have military courts or special tribunals for trying criminal offenders to ensure that such bodies are an integral part of the general judicial system and that such courts apply procedures that are recognized according to international law as guarantees of a fair trial, including the right to appeal a conviction and a sentence;

15. *Stresses* the importance of developing cooperation between national judicial systems with a view to, inter alia, strengthening the protection of persons deprived of their liberty;

16. *Invites* the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances to take full account of the present resolution in the discharge of their mandates;

17. *Decides* to continue consideration of this issue in accordance with its annual programme of work.

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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Armenia,* Belgium, Gabon,* Georgia, Germany, Mexico, Nigeria, Poland,* Portugal, Republic of Korea, Romania,* Switzerland, Thailand,* Uruguay:* draft decision

31/... High-level panel on the occasion of the tenth anniversary of the Human Rights Council

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling all other international human rights instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Reaffirming General Assembly resolution 60/251 of 15 March 2006, by which the Assembly decided to establish the Human Rights Council,

Noting that June 2016 will mark the tenth anniversary of the Human Rights Council,

Emphasizing that the tenth anniversary offers an important opportunity to underline and reiterate the commitment to the universal promotion and protection of the human rights of all, and to reflect on the achievements and challenges of the Human Rights Council,

Emphasizing also the need for reinforced efforts to meet the goal of the full realization of all human rights for all,

Recalling the creation of the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council,[1] aimed at enabling fuller participation of all Member States in the work of the Council,

1. *Decides* to convene, on the first day of its thirty-second session, a high-level panel discussion on the occasion of the tenth anniversary of the Human Rights Council,

* Non-member State of the Human Rights Council.

[1] See Human Rights Council resolution 19/26.

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focused on its achievements and challenges, with the participation of the United Nations High Commissioner for Human Rights;

2. *Encourages* on the occasion of the tenth anniversary the participation of all Member States, including Member States that do not have a mission in Geneva, in the work of the Human Rights Council, including in the high-level panel discussion;

3. *Requests* the Office of the High Commissioner to organize the panel discussion, and to liaise with States and other stakeholders with a view to ensuring their participation in it;

4. *Also requests* the Office of the High Commissioner to prepare a report on the panel discussion in the form of a summary.

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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Argentina,* Armenia,* Australia,* Austria,* Belgium, Brazil,* Bulgaria,* Chile,* Cyprus,* Czech Republic,* Denmark,* Estonia,* Finland,* France, Georgia, Germany, Greece,* Iceland,* Ireland,* Japan,* Liechtenstein,* Mexico, Monaco,* Montenegro,* Netherlands, Norway,* Panama, Paraguay, Peru,* Portugal, Romania,* Slovakia,* Slovenia, Spain,* Sweden,* Switzerland, the former Yugoslav Republic of Macedonia, Turkey,* Uruguay,* United Kingdom of Great Britain and Northern Ireland, United States of America:* draft resolution

31/... Protection of human rights and fundamental freedoms while countering terrorism: mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with these resolutions and the annexes thereto,

Recalling also Commission on Human Rights resolutions 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005, General Assembly resolutions 59/191 of 20 December 2004, 60/158 of 16 December 2005 and 61/171 of 19 December 2006, and Human Rights Council resolutions 6/28 of 14 December 2007, 15/15 of 24 September 2010 and 22/8 of 21 March 2013, entitled "Protection of human rights and fundamental freedoms while countering terrorism: mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism",

* Non-member State of the Human Rights Council.

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1. *Decides* to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism for a period of three years in the same terms as provided for by the Human Rights Council in its resolution 22/8;

2. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by responding promptly to the Special Rapporteur's urgent appeals and providing the information requested;

3. *Calls upon* all Governments to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries;

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of his or her mandate;

5. *Decides* to continue consideration of this question in conformity with its annual programme of work.

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Human Rights Council
Thirty-first session
Agenda item 6
Universal periodic review

President of the Human Rights Council: draft decision

31/... Commencement of the third cycle of the universal periodic review

At its xxth meeting, on xx March 2016, the Human Rights Council decided that the third cycle of the universal periodic review shall commence in April/May 2017, once the outcome documents of the last States considered during the second cycle have been adopted by the Council at its thirty-fourth session.

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Human Rights Council
Thirty-first session
Agenda item 4
Human rights situations that require the Council's attention

Albania, Andorra,* Australia,* Austria,* Belgium, Botswana, Bulgaria,* Croatia,* Czech Republic,* Denmark,* Estonia,* Finland,* France, Georgia, Germany, Hungary,* Iceland,* Ireland,* Israel,* Italy,* Japan,* Jordan,* Kuwait,* Liechtenstein,* Latvia, Lithuania,* Luxembourg,* Maldives, Malta,* Montenegro,* Morocco, Netherlands, New Zealand,* Poland,* Qatar, Romania,* Saudi Arabia, Slovakia,* Slovenia, Spain,* Sweden,* the former Yugoslav Republic of Macedonia, Turkey,* Ukraine,* United Kingdom of Great Britain and Northern Ireland, United States of America:* draft resolution

31/... The human rights situation in the Syrian Arab Republic

The Human Rights Council,

Guided by the Charter of the United Nations,

Reaffirming all previous Human Rights Council resolutions on the Syrian Arab Republic,

Welcoming the adoption by the Security Council of its resolution 2268 (2016) on 26 February 2016,

Reaffirming its strong commitment to the full respect of the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

Demanding that the Syrian authorities meet their responsibility to protect the Syrian population,

Condemning the grave deterioration of the human rights situation and the indiscriminate or deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Recalling the statements made by the Secretary-General and United Nations High Commissioner for Human Rights that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic,

Recalling also that, amid expressions of popular discontent over restrictions on the enjoyment of civil, political, economic, social and cultural rights, civilian protests erupted

* Non-member State of the Human Rights Council.

in Dar'a in March 2011, and noting that the excessive and violent suppression of civilian protests by the Syrian authorities, which later escalated to the direct shelling of civilians, fuelled the escalation of armed violence and extremist groups,

Expressing its deepest concern about the findings of the Independent International Commission of Inquiry on the Syrian Arab Republic, and the allegations of torture and executions based on the evidence presented by the "Caesar" report in January 2014 regarding the torture and execution of persons incarcerated by the Syrian authorities, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

Noting the observation of the Commission of Inquiry that the Syrian authorities have conducted enforced disappearances and widespread attacks against the civilian population as a matter of policy,

Recognizing that arbitrary detention and enforced disappearances in the Syrian Arab Republic have increasingly targeted persons belonging to communities believed to support armed groups or to be insufficiently loyal to the Government or to other parties to the conflict, which has had a traumatic impact on victims and their families,

Deploring the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Expressing full support for the diplomatic efforts of the Special Envoy of the Secretary-General for Syria, and stressing that rapid progress on a political solution should include full and meaningful participation by all segments of Syrian society, including women, and represents the only sustainable way to resolve the situation in the Syrian Arab Republic peacefully, consistent with Security Council resolution 2254 (2015) of 18 December 2015,

Welcoming the efforts of the United Nations Entity for Gender Equality and the Empowerment of Women to highlight the needs of women and girls and to promote their role in conflict-resolution and peacebuilding,

Acknowledging the ongoing efforts by human rights defenders active in the Syrian Arab Republic to document violations and abuses of international human rights law and violations of international humanitarian law, despite grave risks,

1. *Welcomes* the cessation of hostilities in the Syrian Arab Republic, demands that all parties to the cessation of hostilities in the Syrian Arab Republic fulfil their commitments, and urges all Member States, especially the members of the International Syria Support Group, to use their influence with the parties to the cessation of hostilities to ensure fulfilment of those commitments, to support efforts to create conditions for a durable and lasting ceasefire, which is essential to achieving a political solution to the conflict in the Syrian Arab Republic and to bringing the systematic, widespread and gross violations and abuses of human rights and violations of humanitarian law to an end;

2. *Also welcomes* the work of the Independent International Commission of Inquiry on the Syrian Arab Republic, and notes the importance of the work of the Commission of Inquiry and the information it has collected in support of future accountability efforts, in particular the information on those who have allegedly violated international law;

3. *Demands* that the Syrian authorities cooperate fully with the Human Rights Council and the Commission of Inquiry by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

4. *Decides* to extend for one year the mandate of the Commission of Inquiry, established by the Human Rights Council in its resolution S-17/1 of 23 August 2011, to

investigate all alleged violations and abuses of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances and to support efforts to ensure that perpetrators of abuses and violations, including those who may be responsible for crimes against humanity, are held accountable;

5. *Requests* the Commission of Inquiry to provide an oral update during an interactive dialogue at the thirty-second session of the Human Rights Council and to present a written updated report during the interactive dialogue at the thirty-third and thirty-fourth sessions;

6. *Strongly condemns* the continued systematic, widespread and gross violations and abuses of human rights and all violations of international humanitarian law by the Syrian authorities and affiliated militias, including foreign terrorist fighters and those foreign organizations fighting on behalf of the Syrian authorities, in particular Hizbullah, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

7. *Stresses* the importance of efforts to sustain the Cessation of Hostilities that came into force on 27 February 2016 and the delivery of humanitarian assistance, and of the full implementation of Security Council resolutions 2178 (2014) of 24 September 2014, 2199 (2015) of 12 February 2015, 2249 (2015) of 20 November 2015, 2253 (2015) of 17 December 2015, 2254 (2015) and 2268 (2016);

8. *Also strongly condemns* the terrorist acts and violence committed against civilians by the so-called Islamic State in Iraq and the Levant (Daesh), al-Nusrah Front or other terrorist organizations designated by the Security Council, and their continued gross, systematic and widespread abuses of international human rights law and violations of international humanitarian law, and reaffirms that terrorism, including the actions of the so-called Islamic State in Iraq and the Levant (Daesh), cannot and should not be associated with any religion, nationality or civilisation;

9. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by the so-called Islamic State in Iraq and the Levant (Daesh), in particular the enslavement and sexual abuse of women and girls, enforced disappearances and the forced recruitment and abduction of children;

10. *Condemns* all violations and abuses of international human rights law and all violations of international humanitarian law, including against women and children, as well as persons with disabilities, and urges all parties to the conflict not to commit indiscriminate attacks against the civilian population and civilian objects, including against medical facilities and schools as such, to comply with their obligations under international humanitarian law and to respect international human rights law;

11. *Strongly condemns* the widespread practice of enforced disappearance and the use of sexual violence and torture, especially in detention centres, including those acts referenced in the reports of the Commission of Inquiry, as well as those depicted in the evidence presented by "Caesar" in January 2014, noting that such acts may constitute violations or abuses of international human rights law or violations of international humanitarian law, condemns the denial of medical services in all prisons and detention facilities, recognizes the permanent damage from torture to victims and their families, and calls for the appropriate international monitoring bodies to be granted immediate access without undue restriction to all detainees and for the Syrian authorities to publish a list of all detention facilities;

12. *Also strongly condemns* all enforced disappearance and arbitrary detention by the Syrian authorities and all parties to the conflict, and demands the immediate release of

all persons arbitrarily detained, including women, children, human rights defenders, humanitarian aid providers, medical personnel and journalists;

13. *Welcomes* the fact that the Joint Investigative Mechanism, which was established by the Security Council in its resolution 2235 (2015) of 7 August 2015 to identify those involved in the use of any toxic chemical, such as chlorine or any other chemical, as a weapon in the Syrian Arab Republic, became fully operational in November 2015, and calls upon all parties in the Syrian Arab Republic to extend their full cooperation to the Joint Investigative Mechanism and the fact-finding mission and the declaration assessment team of the Organization for the Prohibition of Chemical Weapons, and underscores the importance of seeking accountability for those responsible for violations of international humanitarian law in this context;

14. *Reiterates its condemnation in the strongest terms* of any use of any toxic chemical, such as chlorine, as a weapon in the Syrian Arab Republic, and recalls the decision of the Security Council that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to other States or non-State actors;[1]

15. *Calls upon* the Syrian authorities and all other parties to the conflict to ensure the effective implementation of Security Council resolutions 2139 (2014) of 22 February 2014 and 2254 (2015), which strongly condemned the arbitrary detention and torture of civilians in Syria, notably in prisons and detention facilities, as well as kidnappings, abductions and forced disappearances, and demanded the immediate end of these practices;

16. *Strongly condemns* all use of starvation of civilians as a method of combat, as well as all besiegement directed against civilian populations;

17. *Condemns* the destruction of the structures of civilian life as a result of the conflict, and calls upon all parties to fully comply with their obligations under international law, including the obligation to distinguish military from civilian objectives, and, accordingly, to refrain from deliberately targeting civilians and to put an end to all indiscriminate and disproportionate attacks;

18. *Also condemns* the Syrian authorities' use of heavy weapons, cluster munitions and aerial bombardments, including any indiscriminate use of ballistic missiles and barrel bombs, and attacks against civilian infrastructure, including medical facilities;

19. *Condemns in the strongest terms* the increasing number of mass casualty incidents, including any which may constitute a war crime, taking place in the Syrian Arab Republic, and requests the Commission of Inquiry to continue to investigate all such acts;

20. *Stresses* the need to promote accountability for those responsible for the unlawful killings of civilians, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and violations and abuses of international human rights law;

21. *Strongly condemns* violence against all persons based on their religious or ethnic affiliation;

22. *Demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect the Syrian population lies with the Syrian authorities;

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[1] See Security Council resolution 2235 (2015).

23. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, as well as the organized looting and trafficking of its cultural property, as outlined by the Security Council in its resolution 2199 (2015);

24. *Also strongly condemns* the reported forced displacement of the population in the Syrian Arab Republic and the alarming impact on the demography of the country, and calls upon all parties concerned to cease immediately all activities related to these actions, including any activities that may amount to crimes against humanity;

25. *Calls upon* the international community to support the leadership and full participation of women in all efforts aimed at finding a political solution to the Syrian Arab Republic, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000, 2122 (2013) of 18 October 2013 and 2254 (2015);

26. *Recalls* that the International Criminal Court was established to help to end impunity for such crimes where the State is unwilling or unable to genuinely carry out investigations or prosecutions;

27. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of international human rights law are held to account through appropriate, fair and independent domestic or international criminal justice mechanisms, and stresses the need to pursue practical steps towards this goal, noting the important role that the International Criminal Court can play in this regard;

28. *Reaffirms* that, in the context of an inclusive and credible dialogue, the Syrian people should determine the appropriate process and mechanisms to achieve justice, reconciliation, truth and accountability for gross violations and abuses of international law, as well as reparations and effective remedies for victims;

29. *Emphasizes* that all efforts to bring a peaceful conclusion to the ongoing conflict in the Syrian Arab Republic must fully reflect the importance of ensuring accountability for the crimes committed in the country as a prerequisite to bring about reconciliation and sustainable peace;

30. *Reaffirms* its commitment to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, where all citizens are equal, regardless of gender, religion and ethnicity;

31. *Expresses deep concern* at the growing number of refugees and internally displaced persons fleeing the violence in the Syrian Arab Republic, welcomes the efforts by neighbouring countries to host Syrian refugees, and acknowledges the socioeconomic consequences of the presence of large-scale refugee populations in those countries;

32. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic, and urges the international community to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

33. *Welcomes* the initiative of the United Kingdom of Great Britain and Northern Ireland, Germany, Norway and Kuwait to co-host the London conference on 4 February 2016, which raised new funding to meet the immediate and long-term needs of those affected by the Syrian crisis, and calls upon all members of the international community to respond expeditiously to the Syrian humanitarian appeals and to fulfil all previous pledges;

34. *Demands* that the Syrian authorities facilitate, and all other parties to the conflict do not hinder, the full, immediate and safe access of the United Nations and humanitarian actors, including to hard-to-reach and besieged areas, in accordance with Security Council resolutions 2139 (2014), 2165 (2014) of 14 July 2014, 2191 (2014) of 17

December 2014, 2254 (2015), 2258 (2015) of 22 December 2015 and 2268 (2016), and calls upon Member States to fully fund the United Nations appeals;

35. *Takes note* of those countries outside the region that have put in place measures and policies to assist and to host Syrian refugees, and encourages them to do more, and encourages other States outside the region to consider implementing similar measures and policies, also with a view to providing Syrian refugees with protection and humanitarian assistance;

36. *Reaffirms* that there can only be a political solution to the conflict in the Syrian Arab Republic, and urges the parties to the conflict to abstain from actions that may contribute to the continuing deterioration of the human rights, security and humanitarian situation, in order to reach a genuine political transition, based on the Geneva communiqué, consistent with Security Council resolutions 2254 (2015) and 2268 (2016);

37. *Demands* that all parties work urgently towards the comprehensive implementation of the Geneva communiqué, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

38. *Decides* to transmit all reports and oral updates of the Commission of Inquiry to all relevant bodies of the United Nations, recommends that the General Assembly submit the reports to the Security Council for appropriate action, expresses its appreciation to the Commission for its briefings to members of the Security Council, and recommends the continuation of future briefings;

39. *Also decides* to remain seized of the matter.

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Brazil,* China, Iran (Islamic Republic of)* (on behalf of the Non-Aligned Movement), Philippines, Thailand:* draft resolution

31/... Commemoration of the thirtieth anniversary of the Declaration on the Right to Development

The Human Rights Council,

Recalling the Charter of the United Nations and the core human rights instruments,

Reaffirming the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Reaffirming also all Commission on Human Rights, Human Rights Council and General Assembly resolutions on the right to development, the most recent being Council resolution 30/28 of 2 October 2015,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

Emphasizing also the urgent need to make the right to development a reality for everyone,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[1] reaffirming that the Declaration on the Right to Development informed the 2030 Agenda, along with other relevant international instruments, and underlining the fact that the Sustainable Development Goals can be realized only through a credible, effective and universal commitment to the means of implementation by all stakeholders,

Emphasizing that the right to development should be central to the implementation of the 2030 Agenda for Sustainable Development,

Encouraging relevant bodies of the United Nations system, within their respective mandates, including United Nations funds, programmes and specialized agencies, relevant

* Non-member State of the Human Rights Council.

[1] General Assembly resolution 70/1.

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international organizations, including the World Trade Organization and relevant stakeholders, including civil society organizations, to give due consideration to the right to development in the implementation of 2030 Agenda for Sustainable Development, and to cooperate with the United Nations High Commissioner for Human Rights in the fulfilment of his mandate with regard to the implementation of the right to development,

Recognizing that Member States should cooperate with each other in ensuring development and eliminating lasting obstacles to development, that the international community should promote effective international cooperation, in particular a global partnership for development, for the realization of the right to development and the elimination of obstacles to development, and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Stressing that, in General Assembly resolution 48/141 of 20 December 1993, the Assembly decided that the responsibility of the High Commissioner shall be, among others, to promote and protect the realization of the right to development and to enhance support from relevant bodies of the United Nations system for that purpose,

Welcoming the contribution of the universal periodic review mechanism to the realization of the right to development,

Recalling that the thirtieth anniversary of the Declaration on the Right to Development presents a unique opportunity for the international community to demonstrate and reiterate its unequivocal commitment to the right to development, recognizing the high profile it deserves, and redoubling its efforts to implement this right, and encouraging Member States to convene, individually and collectively, events with their own resources for the commemoration of the thirtieth anniversary of the Declaration on the Right to Development,

Welcoming the decision of the General Assembly to convene a one-day high-level segment of the Assembly, in the margins of the general debate of the Assembly at its seventy-first session, in order to commemorate the thirtieth anniversary of the Declaration on the Right to Development,[2]

1. *Welcomes* the thirtieth anniversary of the Declaration on the Right to Development, and stresses the importance of the mandate of the United Nations High Commissioner for Human Rights with regard to the promotion and protection of the realization of the right to development, while fully recognizing its distinct nature and intrinsic value;

2. *Acknowledges* the work of the High Commissioner for the commemoration of the thirtieth anniversary of the Declaration on the Right to Development, and notes with interest the factsheet published thereon in January 2016;[3]

3. *Decides* to convene, at its thirty-second session, a panel discussion on the promotion and protection of the right to development as part of the celebrations of the thirtieth anniversary of the Declaration on the Right to Development;

4. *Invites* the High Commissioner to liaise with States and all stakeholders, including relevant United Nations bodies, agencies, funds and programmes, treaty bodies,

[2] See General Assembly resolution 70/155.

[3] Fact Sheet No. 37: *Frequently Asked Questions on the Right to Development*.

special procedure mandate holders, national human rights institutions and civil society, with a view to ensuring their participation in the panel discussion;

5. *Requests* the High Commissioner to prepare a summary report on the panel discussion and to submit it to the Human Rights Council at its thirty-third session, and decides to bring the report to the attention of the General Assembly ahead of the high-level segment to commemorate the thirtieth anniversary of the Declaration on the Right to Development;

6. *Encourages* all Member States to engage constructively in all discussions for the full implementation of the Declaration on the Right to Development.

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Argentina,* Austria,* Belgium, Brazil,* Bosnia and Herzegovina,* Cyprus,* Czech Republic,* Denmark,* Egypt,* Estonia,* Finland,* France, Germany, Greece,* Hungary,* Ireland,* Italy,* Latvia, Lithuania,* Luxembourg,* Malta,* Mexico, Montenegro,* Netherlands, Norway,* Panama, Paraguay, Peru,* Portugal, Republic of Moldova,* Romania,* Slovakia,* Slovenia, Spain,* Sweden,* the former Yugoslav Republic of Macedonia, Timor-Leste,* Ukraine,* Uruguay:* draft resolution

31/... Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the principles of economic, social and cultural rights enshrined in international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling also that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recalling also the United Nations Millennium Declaration, in which the heads of State and Government affirmed their commitment to spare no effort to promote democracy and strengthen the rule of law and respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

Recalling further its resolutions on the question of the realization in all countries of economic, social and cultural rights, and the resolutions adopted by the Commission on Human Rights on the same topic,

* Non-member State of the Human Rights Council.

Reaffirming the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources with a view to achieving progressively the full realization of economic, social and cultural rights by all appropriate means, including particularly the adoption of legislative measures,

Underlining the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizing that the rights enunciated in the International Covenant on Economic, Social and Cultural Rights are to be realized in a non-discriminatory manner,

Welcoming the initiatives undertaken to commemorate the fiftieth anniversary of the signing of the International Covenant on Economic, Social and Cultural Rights in 2016,

Recalling the commitment included in the International Covenant on Economic, Social and Cultural Rights to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant,

Recognizing that human rights and social protection floors complement each other, and that social protection floors, when used as a baseline, have the potential to facilitate the enjoyment of economic, social and cultural rights and to reduce poverty and inequality,

Welcoming the adoption of the 2030 Agenda for Sustainable Development by the General Assembly in its resolution 70/1 on 25 September 2015, in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative sustainable development goals and targets, and aiming to contribute to full implementation of the Agenda by 2030,

Welcoming also the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, adopted by the General Assembly in its resolution 69/313 of 27 July 2015, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it and helps to contextualize its means of implementation targets with concrete policies and actions, and which reaffirmed the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

1. *Calls upon* all States to give full effect to economic, social and cultural rights by, inter alia, taking all appropriate measures to implement the Human Rights Council resolutions on the question of the realization in all countries of economic, social and cultural rights, the most recent of which is resolution 28/12 of 26 March 2015;

2. *Also calls upon* all States that have not yet signed and ratified the International Covenant on Economic, Social and Cultural Rights to consider doing so as a matter of priority, and States parties to consider reviewing their reservations thereto;

3. *Welcomes* the more recent ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and encourages all States that have not yet signed and ratified the Optional Protocol to consider doing so, and also to consider making declarations under articles 10 and 11 thereof;

4. *Acknowledges* that social protection floors may facilitate the enjoyment of human rights, including the rights to social security, the highest attainable standard of physical and mental health, an adequate standard of living, including adequate food, clothing and housing, education, and safe drinking water and sanitation, in accordance with the human rights obligations of States, and in this regard underlines the importance of

compliance with the principles of non-discrimination, transparency, participation and accountability;

5. *Takes note with appreciation* of the report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights, with a special focus on the methodologies used at the national level to measure the realization of economic, social and cultural rights, submitted pursuant to Human Rights Council resolution 28/12,[1] and of the conclusions contained therein;

6. *Recognizes* that reliable information and disaggregated data are important for the assessment of progress or regression in the realization of economic, social and cultural rights, and can help to support the development of laws, policies and programmes to help States to meet their human rights obligations;

7. *Acknowledges* the importance of measuring progress in the realization of economic, social and cultural rights, and that human rights measurement can contribute positively to the implementation by States of their obligations, including in the context of their interaction with international human rights mechanisms, including regarding their obligations with the treaty bodies and the universal periodic review;

8. *Also acknowledges* that systematic and coherent mechanisms for measuring progress in respect of each State on the realization of economic, social and cultural rights, when fully in line with human rights standards and principles, can make policies, programmes and budgeting processes more efficient and help to improve State reporting on their implementation of those human rights obligations;

9. *Urges* States to consider adopting, or further developing, procedures for information gathering and measurement which may, if analysed in the light of human rights standards, serve as national indicators for State decision-making processes, and are transparent, participatory and allow for accountability;

10. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights, and in this regard takes note with appreciation of measures taken to facilitate access to complaints procedures and the domestic adjudication of cases, as appropriate, for victims of alleged human rights violations;

11. *Welcomes* the steps taken at the national level to implement economic, social and cultural rights, including the enactment of appropriate legislation and adjudication by national courts;

12. *Recognizes* that the 17 Sustainable Development Goals and 169 targets seek to, inter alia, realize the human rights of all and to achieve gender equality and the empowerment of all women and girls, and that they are integrated and indivisible and balance the three dimensions of sustainable development, namely, the economic, the social and the environmental;

13. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations, including through the submission of general comments, the consideration of periodic reports and, for States parties to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the examination of individual communications;

14. *Also notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;

[1] A/HRC/31/31.

15. *Encourages* enhanced cooperation and, as appropriate, increased coordination between the Committee on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies and programmes, mechanisms of the Human Rights Council and other human rights treaty bodies whose activities have a bearing on economic, social and cultural rights in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

16. *Recognizes and encourages* the important contributions of regional organizations, national human rights institutions and civil society, including nongovernmental organizations, academic and research institutions, business enterprises and trade unions to the question of the realization and enjoyment of economic, social and cultural rights, including training and information activities;

17. *Welcomes* the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications, studies, training and information activities on related issues, including through new information technologies;

18. *Requests* the Secretary-General to continue to prepare and submit to the Human Rights Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on the realization of economic, social and cultural rights in the implementation of the 2030 Agenda for Sustainable Development;

19. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Argentina,* Austria,* Belgium, Brazil,* Bosnia and Herzegovina,* Cyprus,* Czech Republic,* Denmark,* Egypt,* Estonia,* Finland,* France, Germany, Greece,* Haiti,* Hungary,* Ireland,* Italy,* Latvia, Lithuania,* Luxembourg,* Malta,* Mexico, Montenegro,* Netherlands, Norway,* Panama, Paraguay, Peru,* Portugal, Republic of Moldova,* Romania,* Slovakia,* Slovenia, Spain,* Sweden,* the former Yugoslav Republic of Macedonia, Timor-Leste,* Ukraine,* Uruguay:* draft resolution

31/... Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the principles of economic, social and cultural rights enshrined in international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling also that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recalling also the United Nations Millennium Declaration, in which the heads of State and Government affirmed their commitment to spare no effort to promote democracy and strengthen the rule of law and respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

Recalling further its resolutions on the question of the realization in all countries of economic, social and cultural rights, and the resolutions adopted by the Commission on Human Rights on the same topic,

* Non-member State of the Human Rights Council.

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Reaffirming the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources with a view to achieving progressively the full realization of economic, social and cultural rights by all appropriate means, including particularly the adoption of legislative measures,

Underlining the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizing that the rights enunciated in the International Covenant on Economic, Social and Cultural Rights are to be realized in a non-discriminatory manner,

Welcoming the initiatives undertaken to commemorate the fiftieth anniversary of the signing of the International Covenant on Economic, Social and Cultural Rights in 2016,

Recalling the commitment included in the International Covenant on Economic, Social and Cultural Rights to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant,

Recognizing that human rights and social protection floors complement each other, and that social protection floors, when used as a baseline, have the potential to facilitate the enjoyment of economic, social and cultural rights and to reduce poverty and inequality,

Welcoming the adoption of the 2030 Agenda for Sustainable Development by the General Assembly in its resolution 70/1 on 25 September 2015, in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative sustainable development goals and targets, and aiming to contribute to full implementation of the Agenda by 2030,

Welcoming also the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, adopted by the General Assembly in its resolution 69/313 of 27 July 2015, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it and helps to contextualize its means of implementation targets with concrete policies and actions, and which reaffirmed the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

1. *Calls upon* all States to give full effect to economic, social and cultural rights by, inter alia, taking all appropriate measures to implement the Human Rights Council resolutions on the question of the realization in all countries of economic, social and cultural rights, the most recent of which is resolution 28/12 of 26 March 2015;

2. *Also calls upon* all States that have not yet signed and ratified the International Covenant on Economic, Social and Cultural Rights to consider doing so as a matter of priority, and States parties to consider reviewing their reservations thereto;

3. *Welcomes* the more recent ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and encourages all States that have not yet signed and ratified the Optional Protocol to consider doing so, and also to consider making declarations under articles 10 and 11 thereof;

4. *Acknowledges* that social protection floors may facilitate the enjoyment of human rights, including the rights to social security, the highest attainable standard of physical and mental health, an adequate standard of living, including adequate food, clothing and housing, education, and safe drinking water and sanitation, in accordance with the human rights obligations of States, and in this regard underlines the importance of

compliance with the principles of non-discrimination, transparency, participation and accountability;

5. *Takes note with appreciation* of the report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights, with a special focus on the methodologies used at the national level to measure the realization of economic, social and cultural rights, submitted pursuant to Human Rights Council resolution 28/12,[1] and of the conclusions contained therein;

6. *Recognizes* that reliable information and disaggregated data are important for the assessment of progress or regression in the realization of economic, social and cultural rights, and can help to support the development of laws, policies and programmes to help States to meet their human rights obligations;

7. *Acknowledges* the importance of assessing progress in the realization of economic, social and cultural rights, and that human rights measurement can contribute positively to the implementation by States of their obligations, including in the context of their interaction with international human rights mechanisms regarding their obligations, inter alia, with the treaty bodies and the universal periodic review;

8. *Also acknowledges* that systematic and coherent national mechanisms for assessing progress in respect of each State on the realization of economic, social and cultural rights, when fully in line with international human rights law principles and standards, can make policies, programmes and budgeting processes more efficient and help to improve State reporting on their implementation of those human rights obligations;

9. *Urges* States to consider adopting, or further developing, procedures for information gathering and measurement which may, if analysed in the light of international human rights law principles and standards, serve as national indicators for State decision-making processes, and are transparent, participatory and allow for accountability;

10. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights, and in this regard takes note with appreciation of measures taken to facilitate access to complaints procedures and the domestic adjudication of cases, as appropriate, for victims of alleged human rights violations;

11. *Welcomes* the steps taken at the national level to implement economic, social and cultural rights, including the enactment of appropriate legislation and adjudication by national courts;

12. *Recognizes* that the 17 Sustainable Development Goals and 169 targets seek to, inter alia, realize the human rights of all and to achieve gender equality and the empowerment of all women and girls, and that they are integrated and indivisible and balance the three dimensions of sustainable development, namely, the economic, the social and the environmental;

13. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations, including through the submission of general comments, the consideration of periodic reports and, for States parties to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the examination of individual communications;

14. *Also notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;

[1] A/HRC/31/31.

15. *Encourages* enhanced cooperation and, as appropriate, increased coordination between the Committee on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies and programmes, mechanisms of the Human Rights Council and other human rights treaty bodies whose activities have a bearing on economic, social and cultural rights in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

16. *Recognizes and encourages* the important contributions of regional organizations, national human rights institutions and civil society, including nongovernmental organizations, academic and research institutions, business enterprises and trade unions to the question of the realization and enjoyment of economic, social and cultural rights, including training and information activities;

17. *Welcomes* the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications, studies, training and information activities on related issues, including through new information technologies;

18. *Requests* the Secretary-General to continue to prepare and submit to the Human Rights Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on the realization of economic, social and cultural rights in the implementation of the 2030 Agenda for Sustainable Development;

19. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.

United Nations A/HRC/31/L.8

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Armenia,* Australia,* Austria,* Belgium, Bosnia and Herzegovina,* Bulgaria,* Canada,* Chile,* Costa Rica,* Denmark,* Fiji,* Finland,* France, Georgia, Germany, Ghana, Greece,* Honduras,* Iceland,* Israel,* Italy,* Japan,* Latvia, Lithuania,* Luxembourg,* Maldives, Malta,* Mexico, Montenegro,* Netherlands, New Zealand,* Norway,* Panama, Paraguay, Peru,* Philippines, Poland,* Portugal, Republic of Moldova,* Slovakia,* Slovenia, Spain,* Sweden,* Switzerland, Thailand,* the former Yugoslav Republic of Macedonia, Tunisia,* Turkey,* United States of America,* Uruguay:* draft resolution

31/... The rights of persons with disabilities in situations of risk and humanitarian emergencies

The Human Rights Council,

Recalling the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto,

Bearing in mind the upcoming tenth anniversary of the adoption of the Convention on the Rights of Persons with Disabilities, to be commemorated in December 2016,

Recalling the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed the full enjoyment of their rights and freedoms without discrimination,

Reaffirming all previous resolutions of the Human Rights Council on the rights of persons with disabilities, the most recent of which was resolution 28/4 of 26 March 2015, and welcoming the efforts of all stakeholders to implement those resolutions,

Acknowledging that international humanitarian law and international human rights law are complementary and mutually reinforcing,

Recognizing that, in situations of armed conflict, States and all parties to armed conflicts have obligations under international humanitarian law with regard to the protection of persons with disabilities,

* Non-member State of the Human Rights Council.

Recalling in particular that article 11 of the Convention on the Rights of Persons with Disabilities provides that States parties to the Convention shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters,

Recognizing that persons with disabilities are often disproportionately affected in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, and in their aftermath, and that they are often at increased risk of discrimination, exploitation and violence, including sexual and gender-based violence, and stressing the particular impact that armed conflict has on persons with disabilities,

Stressing the relevance of disaggregated data collection and analysis, including by disability, as applicable, as an important element in the design of inclusive policies, including those relating to situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters,

Recognizing that persons with disabilities require specific protection and safety measures, including in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, and recognizing the need to support further participation and inclusion of persons with disabilities in the development of and decision-making processes relating to such measures,

Recognizing also that the needs of persons with disabilities are often overlooked in the early phases of situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, and the importance of providing timely and appropriate reintegration and rehabilitation assistance to persons with disabilities, while ensuring that their specific needs are addressed, in particular the needs of women and children with disabilities, such as access to health care, including sexual and reproductive health-care services, psychosocial support and educational programmes,

Recognizing further that participation, accountability, non-discrimination and empowerment are fundamental principles of a human-rights-based approach to disability, and noting article 3 of the Convention on the Rights of Persons with Disabilities in this regard,

Noting the role that innovative means of communication and technology can play with regard to improving accessibility and helping to ensure that no constituency among persons with disabilities is excluded throughout the different stages of emergency response, including preparedness, response, recovery and reconstruction,

Deeply concerned that girls and women with disabilities are often subject to multiple, aggravated or intersecting forms of discrimination and disadvantage,

Deeply concerned also about the particular risk of segregation, abuse and violence, including sexual and gender-based violence against persons with disabilities of all ages, especially in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters,

Welcoming the report of the Special Rapporteur on the rights of persons with disabilities on the participation of persons with disabilities in political and public life and in public decision-making,[1]

[1] A/HRC/31/62.

Noting with appreciation the Sendai Framework for Disaster Risk Reduction 2015-2030, adopted in Sendai, Japan, in March 2015,

Noting with appreciation also the work undertaken in support of the Convention, including the work of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, the report of the Secretary-General on the status of the Convention and the Optional Protocol thereto,[2] and the work of the Committee on the Rights of Persons with Disabilities, the Special Rapporteur, the Special Envoy of the Secretary-General on Disability and Accessibility, the Inter-Agency Support Group on the Convention on the Rights of Persons with Disabilities and the International Red Cross and Red Crescent Movement,

Noting the preparations for the Social Forum of the Human Rights Council that will be held from 3 to 5 October 2016 in Geneva and that will focus on the promotion and full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities in the context of the tenth anniversary of the adoption of the Convention on the Rights of Persons with Disabilities,

1. *Welcomes* the fact that, to date, 160 States have signed and 161 States and one regional integration organization have ratified or acceded to the Convention on the Rights of Persons with Disabilities, and that 92 States have signed and 88 States have ratified or acceded to the Optional Protocol to the Convention, and calls upon those States and regional integration organizations that have not yet ratified or acceded to the Convention and the Optional Protocol to consider doing so as a matter of priority;

2. *Encourages* States that have ratified the Convention and have submitted one or more reservations to it to initiate a process to review regularly the effect and continued relevance of such reservations, and to consider the possibility of withdrawing them;

3. *Welcomes* the thematic study on the rights of persons with disabilities under article 11 of the Convention, on situations of risk and humanitarian emergencies, prepared by the Office of the United Nations High Commissioner for Human Rights,[3] and calls upon States and all relevant stakeholders to consider its findings and recommendations, with a view to implementing these recommendations as appropriate;

4. *Calls upon* States that are not yet party to the Convention, in accordance with their obligations under international law, including international humanitarian law and human rights law, to take all measures necessary to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters;

5. *Calls upon* States and all relevant stakeholders to take effective and appropriate steps to facilitate the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, having regard for the measures contemplated by the Convention, and urges States and all relevant stakeholders, in furtherance of this objective to, inter alia:

(*a*) Promote active participation of and meaningful consultation with persons with disabilities and their representative organizations, including women, men, boys and girls with disabilities of all ages, at all levels in a manner consistent with article 4 (3) of the Convention;

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[2] A/69/284.

[3] A/HRC/31/30.

(*b*) Take into account persons with disabilities in their planning, response and recovery actions in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, to identify and eliminate obstacles and barriers to ensuring their safety;

(*c*) Ensure the effective management and dissemination of accessible information at all stages of response;

(*d*) Mobilize adequate, timely and predictable resources to operationalize their commitment to emergency preparedness and response that are inclusive of and accessible to persons with disabilities, following a human-rights-based approach to programming;

(*e*) Build the capacity of stakeholders, both military and civilian, and peacekeeping personnel operating in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, regarding the rights of persons with disabilities;

(*f*) Ensure accessibility, including through universal design in programming, and in all post-emergency reconstruction and rebuilding, particularly during planning and reconstruction of infrastructure and public facilities;

(*g*) Promote the inclusion of persons with disabilities in existing United Nations frameworks that address situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters;

(*h*) Consider developing internationally agreed standards and guidelines on the inclusion of persons with disabilities in humanitarian action;

(*i*) Ensure the meaningful participation of persons with disabilities in processes of monitoring and evaluation of humanitarian assistance, and ensure that they have adequate access to feedback mechanisms during situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters;

(*j*) Strengthen the collection, management, disaggregation and analysis of information on persons with disabilities in order to foster inclusion and to address discrimination on the basis of disability, including multiple and intersectional forms of discrimination;

(*k*) Encourage national statistical institutions and other participants in the negotiations held by the United Nations Office for Disaster Risk Reduction negotiations on disaster risk reduction indicators and terminology to consider adopting indicators disaggregated by disability status, where relevant, and to ensure that terminology is inclusive of persons with disabilities;

(*l*) Raise awareness of the importance of ensuring the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters;

6. *Encourages* States to take a human-rights-based approach, in line with the Convention on the Rights of Persons with Disabilities, to the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters;

7. *Urges* all parties to armed conflicts to comply with their obligations under international humanitarian law, including their obligations under the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols thereto of 1977, with regard to the respect and protection of persons with disabilities, and to pay attention to the specific needs of persons with disabilities during armed conflicts;

8. *Urges* States to take all appropriate measures to eliminate discrimination against women and girls with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, to promote gender equality and women's empowerment, to address violence against women and girls with disabilities in order to ensure the equal enjoyment of their rights, and to facilitate their role as leaders and active involvement and meaningful participation in decision-making;

9. *Recognizes* the importance of international cooperation and its promotion in support of national efforts to promote the rights of persons with disabilities, including with respect to ensuring the protection and safety of persons with disabilities in situations of risk and humanitarian emergencies;

10. *Encourages* States to engage in international cooperation efforts, where required, aimed at enhancing their national capacities to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, and invites the Office of the High Commissioner and relevant United Nations agencies to consider ways to foster international cooperation activities in this regard;

11. *Encourages* the mobilization of public and private resources on a sustainable basis to mainstream the rights of persons with disabilities in development and underlines the need to promote and strengthen international cooperation at all levels, including with regard to capacity-building and accessible and assistive technology, the exchange of good practices and partnerships for development that are inclusive of persons with disabilities;

12. *Calls upon* States and all relevant stakeholders to ensure that all international cooperation, including international development programmes, is inclusive of and accessible to persons with disabilities and does not contribute to creating new barriers for them or reinforce existing inequalities;

13. *Emphasizes* the importance of mainstreaming the rights of persons with disabilities as an integral part of relevant sustainable development strategies, and encourages States to apply a human-rights-based approach, and to intensify efforts to advance the rights of persons with disabilities in the implementation of the 2030 Agenda for Sustainable Development, consistent with their international obligations, including by engaging in close consultations with and actively involving persons with disabilities in the reporting processes leading up to the high-level political forum;

14. *Urges* States to continue to support the inclusion of persons with disabilities in the implementation of the 2030 Agenda for Sustainable Development by, inter alia, supporting the disaggregation of data by disability for specific indicators, where relevant, to assist States in measuring the achievement of the 17 Sustainable Development Goals and 169 associated targets and programming policies related to the Goals, following a human-rights-based approach to disability;

15. *Encourages* States to take into account the Convention on the Rights of Persons with Disabilities during the ongoing preparations for and their participation in the World Humanitarian Summit, to be held in Istanbul on 23 and 24 May 2016;

16. *Decides* that its next annual interactive debate on the rights of persons with disabilities will be held at its thirty-fourth session, and that the debate will focus on article 5 of the Convention on the Rights of Persons with Disabilities regarding equality and non-discrimination, and will have international sign interpretation and captioning;

17. *Also decides* that an interactive debate on the rights of persons with disabilities will be held at its thirty-seventh session, and that the debate will focus on article 13 of the Convention on the Rights of Persons with Disabilities regarding access to justice, and will have international sign interpretation and captioning;

18. *Requests* the Office of the High Commissioner to prepare its next annual study on the rights of persons with disabilities with a focus on article 5 of the Convention, and to prepare its subsequent study with a focus on article 13 of the Convention, in consultation with States and other relevant stakeholders, regional organizations, the Special Rapporteur on the rights of persons with disabilities, civil society organizations, including organizations of persons with disabilities, and national human rights institutions, requiring contributions to be submitted in an accessible format, and requests that such stakeholder contributions, and the study and an easy-to-read-version of it, be made available on the website of the Office, in an accessible format, prior to the thirty-fourth and thirty-seventh sessions of the Human Rights Council;

19. *Encourages* the task force of the Human Rights Council on secretariat services and accessibility for persons with disabilities to report orally to the Council on its work;

20. *Urges* States to consider further integrating and mainstreaming the perspective and rights of persons with disabilities into the work of the Human Rights Council;

21. *Encourages* representative organizations of persons with disabilities, civil society, national monitoring bodies and human rights institutions to participate actively in the debates referred to in paragraphs 16 and 17 above, as well as in regular and special sessions of the Human Rights Council and its working groups;

22. *Requests* the Secretary-General, the High Commissioner and United Nations entities to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, also taking into account relevant provisions of the Convention on the Rights of Persons with Disabilities, and underlines that the Human Rights Council, including its Internet resources, should be fully accessible to persons with disabilities;

23. *Requests* the Secretary-General to continue to ensure that the work of the Office of the High Commissioner with respect to the rights of persons with disabilities and the Committee on the Rights of Persons with Disabilities are adequately resourced for the fulfilment of their tasks;

24. *Decides* to remain seized of the matter.

United Nations A/HRC/31/L.9

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Angola,* Argentina,* Australia,* Austria,* Bahamas,* Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina,* Brazil,* Bulgaria,* Canada,* Chile,* Colombia,* Costa Rica,* Croatia,* Cuba, Cyprus,* Czech Republic,* Denmark,* Dominican Republic,* Ecuador, El Salvador, Estonia,* Finland,* France, Georgia, Germany, Ghana,* Greece,* Guatemala,* Haiti,* Honduras,* Hungary,* Iceland,* Ireland,* Israel,* Italy,* Jamaica,* Kazakhstan,* Latvia, Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Mexico, Monaco,* Montenegro,* Netherlands, Nicaragua,* Norway,* Panama, Paraguay, Peru,* Philippines, Poland,* Republic of Moldova,* Romania,* Serbia,* Slovakia,* Slovenia, Spain,* Sweden,* Switzerland, Thailand,* the former Yugoslav Republic of Macedonia, Timor-Leste,* Turkey,* Ukraine,* United Kingdom of Great Britain and Northern Ireland, Uruguay,* Venezuela (Bolivarian Republic of): draft resolution

31/... Rights of the child: information and communications technologies and child sexual exploitation

The Human Rights Council,

Emphasizing that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child, bearing in mind the importance of the Optional Protocols to the Convention, and calling for their universal ratification and effective implementation, as well as that of other relevant human rights instruments,

Recalling all previous resolutions on the rights of the child of the Commission on Human Rights, the Human Rights Council and the General Assembly, the most recent being Council resolution 28/19 of 27 March 2015 and Assembly resolution 70/137 of 17 December 2015,

Welcoming the work of the Committee on the Rights of the Child on the issue of information and communications technologies and child sexual exploitation, including in the context of its general comments, in particular general comments No. 13 (2011) on the

* Non-member State of the Human Rights Council.

Please recycle

right of the child to freedom from all forms of violence and No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights,

Welcoming also the work of the Special Rapporteur on the sale of children, child prostitution and child pornography and of the Special Representative of the Secretary-General on Violence against Children on opportunities and risks associated with the use of information and communications technologies and children's protection from sexual abuse and exploitation,[1] as well as the work of the Special Representative of the Secretary-General on Children and Armed Conflict, and taking note with appreciation of their recent reports,[2]

Welcoming further the adoption by the General Assembly of the 2030 Agenda for Sustainable Development,[3] underscoring the importance of its implementation in ensuring the enjoyment of the rights of the child, and recalling that it includes target 5.2, on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, and target 16.2, on ending abuse, exploitation, trafficking and all forms of violence against and torture of children,

Recognizing the importance of information and communications technologies in children's lives as a new tool for learning, socialization, expression, inclusion and fulfilment of the rights of the child and fundamental freedoms, such as the right to education, the right to freedom of expression, the freedom to seek, receive and impart information, and the right to express his or her views freely,

Reaffirming the responsibilities, rights and duties of parents, legal guardians or other persons legally responsible for the child to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of his or her rights,

Recognizing that children are among the most active participants online and that parents, guardians and educators who have responsibility for children's activities may need guidance on protecting children online,

Reaffirming that States shall undertake to protect the child from all forms of exploitation and sexual abuse and, for that purpose, in particular, to take all appropriate national, bilateral and multilateral measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of children in prostitution or other unlawful sexual practices and the exploitative use of children in pornographic performances and materials,

Recognizing that information and communications technologies can facilitate the commission of criminal activities with impunity regarding the sale, sexual abuse and exploitation of children, including in pornography, child sexual abuse material and prostitution; new threats or forms of sexual abuse and exploitation, such as the solicitation of children for sexual purposes known as "child grooming", sexual extortion and live streaming of child abuse; the possession, distribution, access to, exchange, production of or payment for child sexual abuse material; and the viewing, conducting or facilitation of children's participation in live sexual abuses, among others,

Deeply concerned by risks such as sexting and self-generated content, by new and evolving forms of violence against children, particularly child sexual abuse and

[1] A/HRC/28/56 and A/HRC/28/55.
[2] A/HRC/31/19, A/HRC/31/20 and A/HRC/31/58.
[3] General Assembly resolution 70/1.

exploitation, and by cyberbullying, which are related to the use of information and communications technologies,

Acknowledging the role that information and communications technologies play in reducing the risk of sexual abuse and exploitation, including by empowering children to report such abuses,

Recognizing that States should promote access to digital media and information and communications technologies while protecting children from harm,

Emphasizing that States have the primary responsibility to respect, protect and fulfil the rights of the child, including through the prevention of violations and the protection and provision of effective remedies to victims, and to address all forms of violence and abuse against children, including sexual abuse and exploitation, at all times and in all settings,

Underlining that child sexual abuse and exploitation through information and communications technologies, including online, involving the production, sale, dissemination or possession of child sexual abuse and exploitation material, including child pornography, constitutes a serious abuse or violation of the child's physical and psychological integrity and human dignity and an unlawful use of the child victim's personal data and that it can have a negative impact on the enjoyment of the right of the child to the protection of the law against arbitrary or unlawful interference with his or her privacy,

Recognizing that perpetrators of child sexual abuse and exploitation online are sometimes the direct caregivers of the child and that family members, communities and neighbours mig'it be involved in the offering of children for the purpose of sexual abuse and exploitatioi through information and communications technologies,

Recalling in this regard that States should take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment, sexual abuse and exploitation, while in the care of their parents, legal guardians or any other person who cares for the child,

Recognizing that the responsibility to respect the rights of the child also applies to private actors and business enterprises and, in particular, that private actors in the Internet industry who provide or operate services across domestic jurisdictions should continue to take part in joint international efforts to raise awareness and empower children about online risks and to prevent and counter child sexual abuse and exploitation online and offline,

Acknowledging efforts made by private actors, in the framework of corporate social responsibility, to ensure that their infrastructure and services are not used for criminal purposes and to cooperate fully in efforts related to the detection, reporting, investigation, prosecution and prevention of child sexual abuse and exploitation online and offline,

Recognizing the importance of prevention in ensuring a safe online and information and communications technologies environment for children while protecting the child's rights to the protection of the law against arbitrary or unlawful interference with his or her privacy, to seek, receive or impart information, to education, to freedom of expression and to participation, and recognizing also that prevention measures and approaches should involve key actors, including Governments, civil society, industry, parents, schools, children and the whole community,

Expressing concern in relation to the situations when private actors abstain from taking actions required under national and international law to provide adequate safeguards aimed at preventing child sexual abuse and exploitation, and stressing in this regard the

utmost importance of bringing to justice all those involved in or facilitating child sexual exploitation and abuse online,

Recognizing the multi-jurisdictional and transnational nature of child sexual exploitation and abuse online and through information and communications technologies, the fragility of the electronic evidence of such crimes and the continual adaptation of technology by perpetrators to avoid detection and investigation, which pose various difficulties for traditional mutual legal assistance and cooperation channels and require active international cooperation among different actors, including States and their law enforcement and judicial authorities and private actors, including with regard to detecting the crimes, reporting them to competent authorities for investigation, safeguarding electronic evidence of the crimes and handing it over to those authorities in a timely manner,

Welcoming the renewed momentum in the global fight against child sexual abuse and exploitation created by relevant international multi-stakeholder initiatives promoted in partnership with Governments, including law enforcement and judicial authorities, private actors and business enterprises and civil society, such as the Global Programme on Cybercrime of the United Nations Office on Drugs and Crime, the Child Online Protection Initiative of the International Telecommunication Union, the Global Alliance against Child Sexual Abuse Online, WeProtect and the Virtual Global Taskforce, as well as the high-level meeting of the General Assembly on the overall review of the implementation of the outcomes of the World Summit on the Information Society, and encouraging greater coordination among those initiatives and the dissemination of information concerning their activities,

Acknowledging international, regional and local relevant initiatives taken and efforts made to prevent and address the threat of child sexual exploitation and abuse online and the drastic consequences associated with it on children's full enjoyment of human rights, and commending the role of the International Telecommunication Union and its working group on online child protection in combating the sexual abuse and exploitation of children online,

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights entitled "Information and communications technology and child sexual exploitation";[4]

2. *Urges* States to take all steps necessary to ensure full, equal, inclusive and safe access, without discrimination of any kind, to information and communications technologies by all children and safeguard the protection of children online and offline through an integrated and multifaceted approach based on the rights and well-being of children;

3. *Condemns* in the strongest possible terms all forms of violence against children, including sexual and gender-based violence, including when perpetrated through or resulting from the criminal misuse of information and communications technologies made available on the Internet, and sexual exploitation of children online;

4. *Calls upon* States to ensure the legal protection of children from sexual abuse and exploitation online and to legally define, in accordance with international human rights law and obligations, and criminalize all relevant conduct related to the sexual exploitation of children online and offline, including but not limited to its newest forms, such as the solicitation of children for sexual purposes known as "child grooming", sexual extortion,

[4] A/HRC/31/34 and Corr.1.

and streaming of child abuse, as well as possession, distribution, access to, exchange, production of or payment for child sexual abuse material and the viewing, conducting or facilitation of children's participation in live sexual abuses transmitted through information and communications technologies, while ensuring that their legislation takes into account possible future developments in the modi operandi for online child sexual abuse and exploitation;

5. *Also calls upon* States to ensure that the whole chain of those involved or attempting to commit such criminal activities are held accountable and brought to justice in order to fight impunity, taking into account the multi-jurisdictional and transnational nature of child sexual exploitation and abuse online through information and communications technologies;

6. *Further calls upon* States to ensure that domestic legislation on data protection and privacy is in accordance with international human rights law and allows law enforcement, social welfare and judicial authorities to conduct effective and appropriate investigations and prosecutions to combat violations of the child victim's right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference, as set out in article 12 of the Universal Declaration of Human Rights and article 17 of the International Covenant on Civil and Political Rights, in respect of child sexual exploitation online and offline, and to raise awareness of the importance of activities and compliance with the law by private actors, notably those in the Internet industry, to strengthen those efforts;

7. *Calls upon* States, through increased cooperation among relevant State agencies, to remove obstacles to effective investigations of and prosecutions for child sexual abuse and exploitation online and offline by facilitating access by the competent law enforcement and judicial authorities to evidence of crimes committed across borders, including witness testimony and electronic information stored by Internet service providers and online platforms, and stresses that private actors should comply with the law enforcement measures taken in that respect;

8. *Also calls upon* States to ensure a clear and predictable legal and regulatory environment, which requires information and communications technology and other relevant industries to respect the rights of the child and which strengthens regulatory agencies' responsibility for the development of standards for the protection of the rights of the child;

9. *Further calls upon* States to establish fast and effective procedures for the removal or blocking of child sexual abuse or pornographic materials involving children, including by adopting legislation and promoting self-regulatory frameworks for businesses, in accordance with national and international human rights laws and obligations, to aid the detection of crimes online, report evidence thereof and prevent the dissemination of child abuse material involving children, "child grooming" and other forms of child sexual abuse and exploitation online;

10. *Urges* States to strengthen international and regional cooperation among their law enforcement services, including through, inter alia, appropriate mutual legal assistance frameworks in criminal matters, and with the International Criminal Police Organization, and to ensure effective implementation of relevant international standards and the enforcement of the applicable legal framework on issues related to child sexual abuse and exploitation online and offline;

11. *Calls upon* States to promote international financial and technical cooperation in this area, to exchange best practices, investigation procedures, training and capacity-building in order to prevent, eradicate and mitigate child sexual abuse and

exploitation online and to promote the physical and psychological recovery and social reintegration of victims;

12. *Urges* States to establish well-trained and well-resourced dedicated law enforcement investigative units in charge of investigating, pursuing and combating sexual and gender-based violence against children committed using information and communications technologies and child sexual exploitation online, or to strengthen such units if they already exist, and to provide them with adequate financial support and capacity-building and specialist training opportunities;

13. *Calls upon* States to develop a comprehensive, safe, inclusive and empowering approach to children's online protection that is in line with the Convention on the Rights of the Child, ensuring that the principles enshrined in the Convention, including non-discrimination, the best interests of the child, survival and development and children's right to express their views in matters affecting them, are meaningfully implemented;

14. *Urges* States to provide for effective remedies, recovery and reintegration, including through integrated child- and gender-sensitive and child-friendly complaints and reporting mechanisms, services and programmes for child victims of sexual abuse and exploitation, to mitigate the harm caused to them, and to prevent secondary victimization while ensuring the right of the child to be heard, including in any administrative or judicial proceeding affecting him or her, in a manner consistent with the procedural rules of national law;

15. *Encourages* States to develop and strengthen the collection, analysis and dissemination of data, as appropriate, on online and offline sexual abuse and exploitation, disaggregated by, inter alia, age, sex, family income and other relevant factors, as an integral part of States' efforts to prevent and respond to this abuse;

16. *Calls upon* States to adopt and enable all necessary administrative and legal measures to guarantee the rights to privacy, provide protection, safety and adequate information for all children involved in ongoing criminal investigations' cases andor judicial proceedings, before, during and after such investigations and proceedings;

17. *Also calls upon* States to adopt and implement sustained and inclusive child-empowering non-formal and formal education programmes, providing children, parents, caregivers, teachers and other professionals working with children with basic skills relating to media and information literacy, notably information and training on the online environment, its safe use, benefits and risks, in order to increase their awareness and capacity to adopt online coping strategies and support children's resilience, including by involving children, former victims, relevant non-governmental organizations and relevant industries;

18. *Further calls upon* States to develop initiatives and programmes using information and communications technologies, including mobile telephone and social media, to inform children of their rights, the risks of sexual abuse and exploitation and coping strategies, including by implementing timely alert mechanisms, while taking into account the challenges faced by children with disabilities in that regard;

19. *Urges* States to establish widely available, easily accessible, child- and gender-sensitive and confidential counselling, reporting and complaints mechanisms for children, such as child helplines, to report inappropriate interactions and violence encountered online and to protect children;

20. *Encourages* the participation of children in the development and the implementation of policies, programmes and other initiatives aimed at promoting the rights of the child, in particular those preventing and combating child sexual abuse and exploitation online and offline;

21. *Encourages* States to build and strengthen multi-stakeholder platforms with the participation of Governments, civil society and representatives of industry, in particular with the information and communications technology sector, the tourism and travel industry and the banking and finance sectors, with a view to promoting private partners' participation in the elaboration and implementation of policies to empower and inform children, prevent child sexual abuse and exploitation online and offline, which would include preventive safety and quality alert measures;

22. *Decides* to continue its consideration of the question of the rights of the child in accordance with its programme of work and its resolutions 7/29 of 28 March 2008 and 19/37 of 23 March 2012, and to focus its next annual day of discussion on the theme "Protection of the rights of the child in the implementation of the 2030 Agenda for Sustainable Development";

23. *Requests* the United Nations High Commissioner for Human Rights to prepare a report on that theme, in close cooperation with all relevant stakeholders, including States, the United Nations Children's Fund, other relevant United Nations bodies and agencies, relevant special procedure mandate holders, regional organizations and human rights bodies, civil society, national human rights institutions and children themselves, and to present it to the Human Rights Council at its thirty-fourth session, with a view to providing information for the annual day of discussion on the rights of the child.

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Austria,* Belgium, Bosnia and Herzegovina,* Bulgaria,* Costa Rica,* Côte d'Ivoire, Cyprus,* Denmark,* Djibouti,* Fiji,* France, Georgia, Germany, Greece,* Hungary,* Ireland,* Italy,* Latvia, Lebanon,* Liechtenstein,* Luxembourg,* Malawi,* Maldives, Malta,* Mexico, Montenegro,* Morocco, Netherlands, Norway,* Panama, Paraguay, Peru,* Poland,* Portugal, Republic of Moldova,* Romania,* Samoa,* Slovakia,* Slovenia, Spain,* Switzerland, Tunisia* Yemen:* draft resolution

31/... Human rights and the environment

The Human Rights Council,

Reaffirming all its resolutions on human rights and the environment, the latest of which is resolution 28/11 of 26 March 2015, and relevant resolutions of the General Assembly and the Commission on Human Rights,

Recalling General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", in which the Assembly adopted a comprehensive, far-reaching and people-centered set of universal and transformative Sustainable Development Goals and targets, and aiming to contribute to the full implementation of that Agenda by 2030, and to the high-level political forum on sustainable development as the central United Nations platform for the follow-up and review thereof;

Recalling also the principles of the Rio Declaration on Environment and Development,

Recognizing that human beings are at the centre of concerns for sustainable development, that the right to development must be fulfilled in order to meet the development and environmental needs of present and future generations equitably, and that the human person is the central subject of development and should be an active participant in and the beneficiary of the right to development,

* Non-member State of the Human Rights Council.

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Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Welcoming the Paris Agreement adopted at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, including its reference to human rights obligations,

Recognizing that sustainable development and the protection of the environment contribute to human well-being and to the enjoyment of human rights,

Recognizing also, conversely, that climate change, the unsustainable management and use of natural resources and the unsound management of chemicals and waste may interfere with the enjoyment of a safe, clean, healthy and sustainable environment, and that environmental damage can have negative implications, both direct and indirect, for the effective enjoyment of all human rights,

Recognizing further that, while the human rights implications of environmental damage are felt by individuals and communities around the world, the consequences are felt most acutely by those segments of the population which are already in vulnerable situations,

1. *Welcomes* the work undertaken to date by the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, and takes note of his most recent reports on possible methods of implementing human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment[1] and on human rights obligations relating to climate change;[2]

2. *Also welcomes* the work of the Office of the United Nations High Commissioner for Human Rights on the issue of human rights and the environment;

3. *Further welcomes* the work undertaken by the United Nations Environment Programme in support of the mandate of the Special Rapporteur, and in helping to clarify the relationship between human rights and the environment;

4. *Calls upon* States:

(a) To respect, protect and fulfil human rights, including in actions related to environmental challenges;

(b) To adopt and implement environmental and other laws ensuring, among other things, the rights to information, participation and access to justice;

(c) To facilitate public awareness and participation in environmental decision-making, including of civil society, women, youth and indigenous peoples, including by protecting the rights to freedom of expression and to freedom of peaceful assembly and association;

(d) To fully implement their obligations to respect and ensure human rights without distinction of any kind, including in the application of environmental laws and policies;

(e) To promote a safe and enabling environment in which individuals, groups and organs of society, including those working on human rights and environmental issues, can operate free from threats, hindrance and insecurity;

[1] A/HRC/31/53.
[2] A/HRC/31/52.

(f) To provide for effective remedies for human rights violations and abuses, including those related to the enjoyment of a safe, clean, healthy and sustainable environment, in accordance with their obligations and commitments under international law;

(g) To take into account human rights obligations and commitments relating to the enjoyment of a safe, clean, healthy and sustainable environment in the implementation and monitoring of the Sustainable Development Goals, bearing in mind the integrated and multisectoral nature of the latter;

5. *Encourages* States:

(a) To adopt an effective normative framework for the enjoyment of a safe, clean, healthy and sustainable environment;

(b) To address compliance with human rights obligations and commitments relating to the enjoyment of a safe, clean, healthy and sustainable environment in the framework of human rights mechanisms, including the universal periodic review;

(c) To facilitate the exchange of knowledge and experiences between experts in the environmental and human rights fields, and to promote coherence among different policy areas;

(d) To build capacities for taking human rights obligations and commitments into account in their efforts to protect the environment;

(e) To explore ways to incorporate information on human rights and the environment, including climate change, in school curricula, in order to teach the next generations to act as agents of change, including by taking into account indigenous knowledge;

(f) To consider further the human rights perspective within the framework of United Nations Framework Convention on Climate Change, including at the twenty-second session of the Conference of the Parties, to be organized by Morocco in Marrakech from 7 to 18 November 2016;

(g) To seek to ensure that projects supported by environmental finance mechanisms respect all human rights;

(h) To collect disaggregated data on the effects of environmental harm on vulnerable groups, as appropriate;

(i) To promote environmental and climate action that is gender-responsive and takes into consideration the vulnerability of ecosystems and the needs of persons and communities in vulnerable situations;

(j) To continue to share good practices in fulfilling human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment through the good practices database maintained by the Special Rapporteur;

(k) To build capacity for the judicial sector to understand the relationship between human rights and the environment;

(l) To foster a responsible private business sector and to encourage corporate sustainability reporting, while protecting environmental standards in accordance with relevant international standards and agreements and other ongoing initiatives in this regard;

6. *Recognizes* the important role played by individuals, groups and organs of society, including human rights defenders, in the promotion and protection of human rights as they relate to the enjoyment of a safe, clean, healthy and sustainable environment;

7. *Also recognizes* the important role of national human rights institutions in support of human rights relating to the enjoyment of a safe, clean, healthy and sustainable environment;

8. *Stresses* the need for enhanced cooperation among States, the United Nations Development Programme, the United Nations Environment Programme, the Office of the United Nations High Commissioner for Human Rights and other relevant international and regional organizations, agencies and programmes, including by regularly exchanging knowledge and ideas and building synergies in the protection of human rights and the protection of the environment, bearing in mind an integrated and multisectoral approach;

9. *Decides* to remain seized of the matter, in accordance with its annual programme of work.

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Andorra,* Angola,* Austria,* Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina,* Brazil,* Chile,* Croatia,* Cyprus,* Denmark,* Ecuador, Estonia,* Finland,* France, Georgia, Germany, Greece,* Honduras,* Hungary,* Iceland,* Italy,* Latvia, Lithuania,* Luxembourg,* Maldives, Mexico, Montenegro,* Namibia, Netherlands, Nigeria, Norway,* Panama, Paraguay, Peru,* Philippines, Poland,* Portugal, Republic of Moldova,* Romania,* Senegal,* Serbia,* Slovakia,* Slovenia, Spain,* Sweden,* Switzerland, Thailand,* the former Yugoslav Republic of Macedonia, Togo, Turkey,* Uruguay:* draft resolution

31/... Adequate housing as a component of the right to an adequate standard of living, and the right to non-discrimination in this context

The Human Rights Council,

Reaffirming that international human rights law instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, entail obligations and commitments of States parties, including all levels of government, in relation to access to adequate housing,

Recalling all previous resolutions of the Human Rights Council, as well as those adopted by the Commission on Human Rights, on the issue of the right to adequate housing as a component of the right to an adequate standard of living, including Council resolution 25/17 of 28 March 2014,

Recalling also all previous resolutions adopted by the Commission on Human Rights on the issue of women's equal rights to ownership of, access to and control over land and the equal rights to own and inherit property and to adequate housing, including resolution 2005/25 of 15 April 2005 on women's equal ownership, access to and control over land and the equal rights to own property and to adequate housing, and resolution

* Non-member State of the Human Rights Council.

1997/44 of 11 April 1997, and the report on economic and social policy and its impact on violence against women submitted pursuant to that resolution,[1]

Reaffirming the principles and commitments with regard to adequate housing enshrined in the relevant provisions of declarations and programmes adopted by major United Nations conferences and summits and at special sessions of the General Assembly and at their follow-up meetings, inter alia, the Istanbul Declaration on Human Settlements and the Habitat Agenda,[2] and the Declaration on Cities and Other Human Settlements in the New Millennium, adopted at the twenty-fifth special session of the Assembly and annexed to its resolution S-25/2 of 9 June 2001,

Recalling that States have the primary responsibility to ensure the full realization of all human rights and to endeavour to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, with a view to progressively achieving the full realization of the right to adequate housing as a component of the right to an adequate standard of living by all appropriate means, including the adoption of legislative measures,

Welcoming the adoption by the General Assembly of the 2030 Agenda for Sustainable Development,[3] in which the Assembly acknowledged, inter alia, the importance of making cities and human settlements inclusive, safe, resilient and sustainable,

Welcoming also the decision by the General Assembly, in its resolution 66/203 of 22 December 2011, to convene a United Nations Conference on Housing and Sustainable Urban Development (Habitat III), to be held in Quito in October 2016, to reinvigorate the global commitment to and support for housing and sustainable urban development and the implementation of the New Urban Agenda,

Emphasizing that the adverse effects of climate change have a range of implications, both direct and indirect, for the effective enjoyment of human rights, inter alia, the right to adequate housing as a component of the right to an adequate standard of living, and welcoming the adoption of the Paris Agreement under the United Nations Framework Convention on Climate Change,

Expressing deep concern at the number and scale of natural disasters, and in this regard welcoming the adoption of the Sendai Framework for Disaster Risk Reduction 2015-2030,[4]

Noting with interest the work of the United Nations treaty bodies, in particular the Committee on Economic, Social and Cultural Rights, in the promotion of the rights related to adequate housing as a component of the right to an adequate standard of living, including all its relevant general comments and, for States parties to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the examination of individual communications,

Recalling the Global Housing Strategy of the United Nations Human Settlements Programme, the principles on housing and property restitution for refugees and displaced persons,[5] the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, and the guiding principles on security of tenure for the urban poor, as laid out in the report of the Special Rapporteur

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[1] E/CN.4/2000/68/Add.5.
[2] A/CONF.165/14.
[3] See General Assembly resolution 70/1.
[4] See General Assembly resolution 69/283.
[5] E/CN.4/Sub.2/2005/17, annex.

on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context,[6]

Concerned that the right to adequate housing is not realized for many throughout the world, and that millions continue to live in sub-standard housing and millions more are homeless or at immediate risk of homelessness, and recognizing that this situation should be addressed by urgent and immediate measures by States and the international community, in accordance with existing international human rights standards,

Deeply concerned that homelessness disproportionately affects women and persons with disabilities, and other persons who are marginalized and most vulnerable, each in different ways but with common structural causes, and that homelessness and tenure insecurity per se might result in discrimination, criminalization and further exclusion, particularly social and economic exclusion,

Reaffirming that everyone is entitled to the right to adequate housing as a component of the right to an adequate standard of living without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recognizing that homelessness is caused by the interplay of individual circumstances and broader systemic factors, and that fulfilling the right to adequate housing as a component of the right to an adequate standard of living requires developing and implementing long-term and human rights-based multisectoral policies and strategies that are gender-responsive and simultaneously address discrimination, marginalization, social exclusion and housing deprivation,

Recognizing also that security of tenure enhances the enjoyment of the right to adequate housing and is significant to the enjoyment of many other economic, social, cultural, civil and political rights, and that all persons should possess a degree of security of tenure that guarantees legal protection against forced eviction, harassment and other threats,

Recognizing further the need to promote, protect and strengthen a variety of tenure forms, in particular by mainstreaming human rights into national urbanization policies and rural development and planning, including in housing and slum upgrading, land management and land administration policies, and to ensure social integration, with the full participation of all relevant stakeholders,

1. *Welcomes* the work of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, including the undertaking of country missions;

2. *Acknowledges with appreciation* in particular the report on homelessness of the Special Rapporteur;[7]

3. *Calls upon* States to implement the 2030 Agenda for Sustainable Development, including target 11.1, which outlines the objective of ensuring access for all to adequate, safe and affordable housing and basic services and upgrading slums, and in this context urges States to adopt in consultation with relevant stakeholders, inclusive and cross-sectoral strategies that respect, protect and fulfil the human rights of all, and to ensure that these strategies outline clear responsibilities at all levels of government, contain measurable goals, targets and timelines, and include appropriate mechanisms for

[6] A/HRC/25/54.
[7] A/HRC/31/54.

monitoring and review, with particular emphasis on the needs of persons who are marginalized and most vulnerable;

4. *Also calls upon* States to give due consideration to integrating the human right to adequate housing as a component of the right to an adequate standard of living in the negotiation process and the implementation of the outcome document of the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) and the New Urban Agenda;

5. *Further calls upon* States to take all necessary measures to eliminate legislation that criminalizes homelessness and to ensure an effective remedy and the right to access to justice for all for violations in the context of the realization of the right to adequate housing as a component of the right to an adequate standard of living, including necessary measures to ensure that women and persons at risk have equal access to justice;

6. *Calls upon* States to take positive measures with a view to prevent and eliminate homelessness by adopting and implementing cross-sectoral strategies that are gender-responsive and based on international human rights law;

7. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all necessary assistance to the Special Rapporteur for the effective fulfilment of his or her mandate;

8. *Notes with appreciation* the cooperation extended to date to the Special Rapporteur by different actors, and calls upon States:

(*a*) To continue to cooperate with the Special Rapporteur in the discharge of his or her mandate and to respond favourably to his or her requests for information and visits;

(*b*) To enter into a constructive dialogue with the Special Rapporteur with respect to the follow-up to and implementation of his or her recommendations;

9. *Decides* to continue its consideration of this matter under the same agenda item.

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Andorra,* Angola,* Argentina,* Armenia,* Australia,* Austria,* Brazil,* Bulgaria,* Costa Rica,* Cyprus,* Czech Republic,* Denmark,* France, Gabon,* Germany, Greece,* Honduras,* Italy,* Libya,* Lithuania,* Luxembourg,* Maldives, Mali,* Monaco,* Montenegro,* Morocco, Netherlands, Norway,* Panama, Paraguay, Peru,* Philippines, Poland,* Portugal, Republic of Moldova,* Romania,* Senegal,* Slovakia,* Slovenia, Spain,* Switzerland, Thailand,* the former Yugoslav Republic of Macedonia, Togo, Tunisia,* Turkey:* draft resolution

31/... Human rights education and training

The Human Rights Council,

Guided by the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Reaffirming the call of the World Conference on Human Rights, held in Vienna in 1993, on all States and institutions to include human rights, humanitarian law, democracy and rule of law in the curricula of all learning institutions, and its statement that human rights education should include peace, democracy, development and social justice, as set forth in international and regional human rights instruments, in order to achieve common understanding and awareness with a view to strengthening universal commitment to human rights,

Reaffirming also the United Nations Declaration on Human Rights Education and Training, adopted by the General Assembly in its resolution 66/137 on 19 December 2011, and that States are duty-bound, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, to ensure that education is aimed at strengthening respect for human rights and fundamental freedoms, and that every individual and every organ of society should strive by teaching and education to promote respect for human rights and fundamental freedoms,

* Non-member State of the Human Rights Council.

Please recycle

Recalling General Assembly resolution 59/113A of 10 December 2004, in which the Assembly proclaimed the World Programme for Human Rights Education as an international effort under the auspices of the United Nations to advance the implementation of human rights education in all sectors, and all previous resolutions of the Human Rights Council on human rights education and training,

Recalling also the 2005 World Summit Outcome, in which Heads of State and Government supported the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education, as appropriate, and encouraged all States to develop initiatives in that regard,

Convinced that human rights education is a long-term and lifelong process by which everyone learns tolerance and respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Believing that human rights education and training is essential to the effective realization of human rights and fundamental freedoms and contributes significantly to promoting equality, preventing conflict and human rights violations and abuses, and enhancing participation and democratic processes with a view to developing societies in which all human beings are valued and respected, without discrimination or distinction of any kind, such as race, colour, sex, language, religion, political, or other opinion, national or social origin, property, birth or other status,

Believing also that human rights education and training can play an important role in promoting rule of law, democracy, good governance and sustainable peace,

Recognizing that human rights education and training, especially for youth, can contribute to the promotion of inclusive and tolerant societies, thereby favouring the progressive realization of all human rights,

Welcoming the adoption of the 2030 Agenda for Sustainable Development, including Goal 4, target 7 thereof, and of the Education 2030 Framework for Action, and affirming the interlinkages and integrated nature of all Sustainable Development Goals and targets,

1. *Calls upon* States to take appropriate measures to ensure the effective implementation of and follow-up to the United Nations Declaration on Human Rights Education and Training, including by making available the necessary resources and promoting universal respect and understanding thereof;

2. *Encourages* States and all other stakeholders to strengthen the implementation of the World Programme for Human Rights Education, including its third phase;

3. *Welcomes* the efforts of the Office of the United Nations High Commissioner for Human Rights and the United Nations Educational, Scientific and Cultural Organization in advancing human rights education and training globally, including through the promotion of national implementation of the World Programme for Human Rights Education, methodological and training support, capacity-building and technical assistance, and urges them to step up collaboration with States, upon request, in order to build their capacity for human rights education and training;

4. *Encourages* the Office of the High Commissioner, in cooperation with the United Nations Educational, Scientific and Cultural Organization, to support the implementation of 2030 Agenda for Sustainable Development, including Goal 4, target 7 thereof;

5. *Affirms* the importance of education, including human rights education and training, as a tool to help to prevent terrorism and violent extremism, as well as racial and

religious intolerance, genocide, war crimes, ethnic cleansing and crimes against humanity worldwide, and recognizing the catalytic role of education, including human rights education and training, in helping to ensure stability and sustainable peace, human rights, social justice, diversity, gender equality and environmental sustainability;

6. *Underlines* the necessity to strengthen international cooperation and coordination in order to advance human rights education and training as a necessary tool for the promotion and protection of human rights;

7. *Appreciates* the work done by the Office of the High Commissioner and the United Nations Educational, Scientific and Cultural Organization to collect and develop educational materials on human rights education and training, including through regional centres, and to provide access to online educational materials, including through the Office's resource collection on human rights education and training and the Organization's clearinghouse on global citizenship education;

8. *Encourages* the Office of the High Commissioner and the United Nations Educational, Scientific and Cultural Organization to further collect and provide access to educational materials on human rights education and training, including through the use of online platforms and information and communications technology;

9. *Takes note with satisfaction* of the release of the Plan of Action to Prevent Violent Extremism,[1] in particular its section on education, skills development and employment facilitation, in which the Secretary-General calls for education to include teaching respect for human rights and diversity, fostering critical thinking, promoting media and digital literacy, and developing the behavioural and socioemotional skills that can contribute to peaceful coexistence and tolerance;

10. *Appreciates* the work of the United Nations Educational, Scientific and Cultural Organization undertaken in cooperation with Member States to promote human rights education and training through the strategy on global citizenship education, in line with the Global Education First Initiative of the Secretary-General and Goal 4, target 7 of the 2030 Agenda for Sustainable Development;

11. *Recognizes* the important role of national human rights institutions in promoting effective policies on human rights education and training, and calls upon them to contribute further to the implementation of human rights education programmes;

12. *Also recognizes* the important role of civil society, including non-governmental organizations, in promoting and providing human rights education and training;

13. *Decides* to convene at its thirty-third session a high-level panel discussion to mark the fifth anniversary of the United Nations Declaration on Human Rights Education and Training, on the theme "The implementation of the United Nations Declaration on Human Rights Education and Training: good practices and challenges", and requests the Office of the High Commissioner to prepare a summary report of the high-level panel discussion and to submit it to the Human Rights Council by its thirty-fifth session.

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[1] See A/70/674.

United Nations A/HRC/31/L.13

General Assembly

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Algeria, Bahrain,* Cuba, Djibouti,* Egypt,* Jordan,* Lebanon,* Libya,* Morocco, Philippines, Saudi Arabia, Tunisia,* United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen:* draft resolution

31/... Effects of terrorism on the enjoyment of all human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism, including Assembly resolutions 46/51 of 9 December 1991, 60/158 of 16 December 2005, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 66/10 of 18 November 2011 on the United Nations Counter-Terrorism Centre established on the initiative of the United Nations and Saudi Arabia, 68/178 of 18 December 2013, 68/276 of 13 June 2014, 69/127 of 10 December 2014, 70/148 of 17 December 2015, and Commission resolution 2004/44 of 19 April 2004, as well as Human Rights Council resolutions on terrorism and human rights, including 28/17 of 26 March 2015,

Reaffirming its commitment to the United Nations Global Counter-Terrorism Strategy and its four pillars, adopted by the Assembly in its resolution 60/288,

Reaffirming also the right of the people to live in peace, freedom and security and their right to be protected at all times from the threat of terrorism,

Reaffirming further that everyone has the right to life, liberty and security of person,

Reaffirming that civil, political, economic, social and cultural rights are universal, indivisible, interdependent and interrelated. as enshrined in the Universal Declaration on

* Non-member State of the Human Rights Council.

Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recognizing that the objectives of countering terrorism and of the protection and promotion of human rights are not conflicting but complementary and mutually reinforcing,

Reaffirming the fundamental importance of respecting all human rights and fundamental freedoms and the rule of law,

Taking note of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, submitted to the Human Rights Council at its twenty-ninth session,[1]

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure effective implementation of their obligations under international human rights law and international humanitarian law, as applicable,

Welcoming the holding of a panel discussion on the effects of terrorism on the enjoyment by all persons of human rights and fundamental freedoms at the twenty-ninth session of the Human Rights Council, and taking note of the summary report thereon,[2]

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism in all its forms and manifestations,

Recognizing that international cooperation and any measures taken by Member States to prevent and combat terrorism must fully comply with their obligations under international law, including the Charter, in particular the purposes and principles thereof, and other relevant international conventions and protocols, in particular human rights law and international humanitarian law, as applicable,

Emphasizing that mutual respect, tolerance and dialogue among civilizations and the enhancement of interfaith and intercultural understanding are among the most important elements in promoting cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to this end,

Reaffirming its strongest condemnation of the heinous acts of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of motivation, as criminal and unjustifiable acts that have detrimentally affected the enjoyment of human rights and fundamental freedoms, such as the right to life, liberty and security of person, thus impeding the full realization of economic, social and cultural rights, threatening the territorial integrity and security of States, rule of law and democracy, and destabilizing Governments, and ultimately representing a grave threat to the functioning of societies and to international peace and security,

Acknowledging the important contribution of measures taken at all levels against terrorism, consistent with international law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights, and the need to continue the fight against terrorism, including through international cooperation and strengthening the role of the United Nations in this respect,

Expressing its continuing concern at the increasing flow of foreign terrorist fighters and at the threat it poses to all States, including countries of origin, transit and destination, encouraging all States to address this threat by enhancing their cooperation and developing relevant measures to prevent and tackle this phenomenon, including information-sharing,

[1] A/HRC/29/51.
[2] A/HRC/30/64.

border management to detect their movements, and appropriate criminal justice response, and to consider the use of United Nations instruments and mechanisms, as well as sanctions regimes,

Reiterating that all States should fulfil their responsibilities in denying all forms of support, for terrorists and terrorist groups, particularly political, military logistical and financial support, including through collecting funds by their nationals or persons in their territories, or availing financial assets, directly or indirectly, for the benefit of, or with the intention that the funds be used by, or with the knowledge that they are to be used by, terrorist groups or individual terrorists for any purpose, and deny providing safe haven and to prevent terrorists from benefiting directly or indirectly from ransom payments to terrorist groups, and to bring to justice or, where appropriate, extradite, on the basis of the principle of extradite or prosecute, the perpetrators of terrorist acts or any person who supports, facilitates or participates, or attempts to participate, in the financing, planning, preparation or perpetration of terrorist acts or in providing safe havens,

Welcoming political commitments, actions and initiatives taken and adopted against kidnapping for ransom in different forums, such as Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists,

Deeply concerned at the serious crimes committed by terrorist groups and individuals, including foreign terrorist fighters, that have targeted persons and groups on the basis of their ethnic and religious background and involved gross human rights abuses,

Deploring attacks on religious places and shrines and cultural sites, which may violate international law, in particular human rights and international humanitarian law, including any deliberate destruction of relics, monuments and religious sites,

Recalling its resolution 16/18 of 24 March 2011 and its follow-up resolutions, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence and the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, and calling for their effective implementation by the international community in order to contribute to a more conducive environment to countering the messages of radical groups attempting to justify violence, including through ethnic or religious stigmatization and discrimination,

Affirming States' determination to work towards conflict resolution, to confront oppression, to eradicate poverty, to promote sustained economic growth, sustainable development, global prosperity, good governance, human rights for all and the rule of law, to improve intercultural understanding and to ensure respect for all,

1. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern at their detrimental effects on the enjoyment of human rights, including the right to life, liberty and security of person, as stipulated in article 3 of the Universal Declaration of Human Rights;

2. *Expresses its concern* that terrorists and terrorist groups have targeted population segments and regions, and in some cases on the basis of religion and/or ethnicity of specific individuals and communities;

3. *Reaffirms* the primary responsibility of States in preventing and countering terrorism in all its forms and manifestations in the territory under their jurisdiction, in full compliance with their international law obligations;

4. *Urges* States, while countering terrorism, to respect and protect all human rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of those rights;

5. *Expresses concern* at the increase in kidnapping and hostage-taking with demands for ransom and/or political concessions being made by terrorist groups, and expresses the need to address this issue;

6. *Reiterates* the obligation of States to prevent and suppress the financing of terrorist acts, including ransom payment, and to criminalize the wilful provision or collection by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds be used, or with the knowledge that they are to be used, to carry out terrorist acts;

7. *Encourages* States to refrain from supporting terrorist groups in establishing propaganda platforms, such as electronic or satellite platforms or any other media on their territory for disseminating hatred or instigation;

8. *Urges* States to take appropriate measures to duly investigate the incitement, preparation or commission of acts of terrorism, and to bring to justice those engaged in such acts in accordance with national criminal laws and procedures and international human rights law, as applicable;

9. *Also urges* States to adopt rehabilitation and reintegration strategies for returning foreign terrorist fighters, in line with the good practices set out in the Hague – Marrakech Memorandum of the Global Counterterrorism Forum, and to adopt a comprehensive approach that includes the development of national centres for counsel and deradicalization that can play an important role along with criminal justice responses, and in this regard welcomes the role of the Mohamed bin Naif Counselling and Care Centre in countering terrorist ideologies and activities;

10. *Expresses its concern* at the increasing use, in a globalized society, by terrorists and their supporters of information and communications technology, in particular the Internet and other media, to advocate, commit, incite, recruit for, fund or plan terrorist acts, urges States to take appropriate preventive measures in this regard while acting in full compliance with their international law obligations, and emphasizes the importance of cooperation among stakeholders in the implementation of the United Nations Global Counter-Terrorism Strategy, including among States, international, regional and subregional organizations, the private sector and civil society, to address this issue, while respecting human rights and fundamental freedoms and complying with international law and the purposes and principles of the Charter, and reiterates that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, mutual respect and dialogue and understanding among peoples and peace, and in this regard notes with appreciation the constructive role played by the Cyber Observatory of Takfiri Fatwas in Egypt;

11. *Renews* its commitment to strengthening international cooperation to prevent and counter terrorism in accordance with the principles of international law, including the Charter, international human rights law and international humanitarian law, including through technical cooperation and capacity-building, and in that regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars;

12. *Calls upon* all States to promote a culture of peace, justice and human development, ethnic, national and religious tolerance, and respect for all religions, religious values, beliefs and cultures by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society;

13. *Expresses* its solidarity with the victims of terrorism and their families, and acknowledges the importance of protecting their rights and of providing them with proper support and assistance, while taking into account, when appropriate, considerations

regarding remembrance, dignity, respect, justice and truth in such a way that promotes accountability and ends impunity, in accordance with international law, and encourages the enhancement of international cooperation and the exchange of expertise in that respect, in accordance with international law;

14. *Encourages* States to provide appropriate assistance and rehabilitation for victims of terrorism in accordance with relevant national laws from within available resources;

15. *Urges* States and the international community to take measures, including through education, awareness-raising, the media and human rights education and training, to effectively address the conditions conducive to the spread of terrorism and that make individuals and groups more vulnerable to the effects of terrorism and to recruitment by terrorists;

16. *Invites* all treaty bodies, special procedure mandate holders, international and regional human rights mechanisms and the United Nations High Commissioner for Human Rights, within their respective mandates, to pay due attention to the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms;

17. *Requests* the High Commissioner to prepare a report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, particularly the right to life, liberty and security of person, while paying particular attention to best practices and major challenges in this regard, and to present the report to the Human Rights Council at its thirty-fourth session.

United Nations A/HRC/31/L.13/Rev.1

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Algeria, Angola,* Bahrain,* Cameroon,* Chad,* Congo, Cuba, Djibouti,* Egypt,* Equatorial Guinea,* Jordan,* Kuwait,* Lebanon,* Libya,* Mali,* Mauritania,* Morocco, Nigeria, Oman,* Philippines, Saudi Arabia, Senegal,* Somalia,* South Sudan,* Sudan,* Togo, Tunisia,* United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen,* State of Palestine:* draft resolution

31/... Effects of terrorism on the enjoyment of all human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism, including Assembly resolutions 46/51 of 9 December 1991, 60/158 of 16 December 2005, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 66/10 of 18 November 2011 on the United Nations Counter-Terrorism Centre established on the initiative of the United Nations and Saudi Arabia, 68/178 of 18 December 2013, 68/276 of 13 June 2014, 69/127 of 10 December 2014, 70/148 of 17 December 2015, and Commission resolution 2004/44 of 19 April 2004, as well as Human Rights Council resolutions on terrorism and human rights, including 28/17 of 26 March 2015,

Reaffirming its commitment to the United Nations Global Counter-Terrorism Strategy and its four pillars, adopted by the Assembly in its resolution 60/288,

Reaffirming also the right of the people to live in peace, freedom and security and their right to be protected at all times from the threat of terrorism,

Reaffirming further that everyone has the right to life, liberty and security of person,

* Non-member State of the Human Rights Council.

Reaffirming that civil, political, economic, social and cultural rights are universal, indivisible, interdependent and interrelated, as enshrined in the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recognizing that the objectives of countering terrorism and of the protection and promotion of human rights are not conflicting but complementary and mutually reinforcing,

Reaffirming the fundamental importance of respecting all human rights and fundamental freedoms and the rule of law,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure effective implementation of their obligations under international human rights law and international humanitarian law, as applicable,

Taking note of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, submitted to the Human Rights Council at its twenty-ninth session,[1]

Welcoming the holding of a panel discussion on the effects of terrorism on the enjoyment by all persons of human rights and fundamental freedoms at the twenty-ninth session of the Human Rights Council, and taking note of the summary report thereon,[2]

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism in all its forms and manifestations,

Recognizing that international cooperation and any measures taken by Member States to prevent and combat terrorism must fully comply with their obligations under international law, including the Charter, in particular the purposes and principles thereof, and other relevant international conventions and protocols, in particular human rights law and international humanitarian law, as applicable,

Emphasizing that mutual respect, tolerance and dialogue among civilizations and the enhancement of interfaith and intercultural understanding are among the most important elements in promoting cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to this end,

Reaffirming its strongest condemnation of the heinous acts of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of motivation, as criminal and unjustifiable acts that have detrimentally affected the enjoyment of human rights and fundamental freedoms, such as the right to life, liberty and security of person, thus impeding the full realization of economic, social and cultural rights, threatening the territorial integrity and security of States, rule of law and democracy, and destabilizing Governments, and ultimately representing a grave threat to the functioning of societies and to international peace and security,

Acknowledging the important contribution of measures taken at all levels against terrorism, consistent with international law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights, and the need to continue the fight against terrorism, including through international cooperation and strengthening the role of the United Nations in this respect,

Expressing its continuing concern at the increasing flow of foreign terrorist fighters and at the threat it poses to all States, including countries of origin, transit and destination,

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[1] A/HRC/29/51.
[2] A/HRC/30/64.

encouraging all States to address this threat by enhancing their cooperation and developing relevant measures to prevent and tackle this phenomenon, including information-sharing, border management to detect travel, and appropriate criminal justice response, and to consider the use of United Nations instruments and mechanisms, as well as sanctions regimes,

Reiterating that all States should fulfil their responsibilities in denying all forms of support, for terrorists and terrorist groups, particularly political, military logistical and financial support, including through collecting funds by their nationals or persons in their territories, or availing financial assets, directly or indirectly, for the benefit of, or with the intention that the funds be used by, or with the knowledge that they are to be used by, terrorist groups or individual terrorists for any purpose, and deny providing safe haven and to prevent terrorists from benefiting directly or indirectly from ransom payments to terrorist groups, and to bring to justice or, where appropriate, extradite, on the basis of the principle of extradite or prosecute, the perpetrators of terrorist acts or any person who supports, facilitates or participates, or attempts to participate, in the financing, planning, preparation or perpetration of terrorist acts or in providing safe havens,

Welcoming political commitments, actions and initiatives taken and adopted against kidnapping for ransom in different forums, such as Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists,

Deeply concerned at the serious crimes committed by terrorist groups and individuals, including foreign terrorist fighters, that have targeted persons and groups on the basis of their ethnic and religious background and involved gross human rights abuses,

Deploring attacks on religious places and shrines and cultural sites, which may violate international law, in particular human rights and international humanitarian law, including any deliberate destruction of relics, monuments and religious sites,

Recalling its resolution 16/18 of 24 March 2011 and its follow-up resolutions, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence and the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, and calling for their effective implementation by the international community in order to contribute to a more conducive environment to countering the messages of extremist groups attempting to justify violence, including through ethnic or religious stigmatization and discrimination,

Affirming States' determination to work towards conflict resolution, to confront oppression, to eradicate poverty, to promote sustained economic growth, sustainable development, global prosperity, good governance, human rights for all and the rule of law, to improve intercultural understanding and to ensure respect for all,

1. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern at their detrimental effects on the enjoyment of human rights, including the right to life, liberty and security of person, as stipulated in article 3 of the Universal Declaration of Human Rights;

2. *Expresses its concern* that terrorists and terrorist groups have targeted population segments and regions, and in some cases on the basis of religion and/or ethnicity of specific individuals and communities;

3. *Reaffirms* the primary responsibility of States in preventing and countering terrorism in all its forms and manifestations in the territory under their jurisdiction, in full compliance with their international law obligations;

4. *Urges* States, while countering terrorism, to respect and protect all human rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of those rights;

5. *Expresses concern* at the increase in kidnapping and hostage-taking with demands for ransom and/or political concessions being made by terrorist groups, and expresses the need to address this issue;

6. *Reiterates* the obligation of States to prevent and suppress the financing of terrorist acts, including ransom payment, and to criminalize the wilful provision or collection by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds be used, or with the knowledge that they are to be used, to carry out terrorist acts;

7. *Encourages* States to refrain from supporting terrorist groups in establishing propaganda platforms, such as electronic or satellite platforms or any other media on their territory for disseminating hatred or instigation;

8. *Urges* States to take appropriate measures to duly investigate the incitement, preparation or commission of acts of terrorism, and to bring to justice those engaged in such acts in accordance with national criminal laws and procedures and international human rights law, as applicable;

9. *Also urges* States to adopt rehabilitation and reintegration strategies for returning foreign terrorist fighters, in line with the good practices set out in the Hague – Marrakech Memorandum of the Global Counterterrorism Forum, and to adopt a comprehensive approach that includes the development of national centres for counsel and deradicalization that can play an important role along with criminal justice responses, and in this regard welcomes the role of the Mohamed bin Naif Counselling and Care Centre in countering terrorist ideologies and activities;

10. *Expresses its concern* at the increasing use, in a globalized society, by terrorists and their supporters of information and communications technology, in particular the Internet and other media, to advocate, commit, incite, recruit for, fund or plan terrorist acts, urges States to take appropriate preventive measures in this regard while acting in full compliance with their international law obligations, and emphasizes the importance of cooperation among stakeholders in the implementation of the United Nations Global Counter-Terrorism Strategy, including among States, international, regional and subregional organizations, the private sector and civil society, to address this issue, while respecting human rights and fundamental freedoms and complying with international law and the purposes and principles of the Charter, and reiterates that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, mutual respect and dialogue and understanding among peoples and peace, and in this regard notes with appreciation the constructive role played by the Cyber Observatory of Takfiri Fatwas in Egypt;

11. *Renews* its commitment to strengthening international cooperation to prevent and counter terrorism in accordance with the principles of international law, including the Charter, international human rights law and international humanitarian law, including through technical cooperation and capacity-building, and in that regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars;

12. *Calls upon* all States to promote a culture of peace, justice and human development, ethnic, national and religious tolerance, and respect for all religions, religious values, beliefs and cultures by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society;

13. *Expresses* its solidarity with the victims of terrorism and their families, and acknowledges the importance of protecting their rights and of providing them with proper support and assistance, while taking into account, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth in such a way that promotes accountability and ends impunity, in accordance with international law, and encourages the enhancement of international cooperation and the exchange of expertise in that respect, in accordance with international law;

14. *Encourages* States to provide appropriate assistance and rehabilitation for victims of terrorism in accordance with relevant national laws from within available resources;

15. *Urges* States and the international community to take measures, including through education, awareness-raising, the media and human rights education and training, to effectively address the conditions conducive to the spread of terrorism and that make individuals and groups more vulnerable to the effects of terrorism and to recruitment by terrorists;

16. *Invites* all treaty bodies, special procedure mandate holders, international and regional human rights mechanisms and the United Nations High Commissioner for Human Rights, within their respective mandates, to pay due attention to the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms;

17. *Requests* the High Commissioner to prepare a report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, particularly the right to life, liberty and security of person, while paying particular attention to best practices and major challenges in this regard, and to present the report to the Human Rights Council at its thirty-fourth session.

United Nations A/HRC/31/L.14

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21 March 2016

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Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Bolivia (Plurinational State of), Brazil,* Cuba, Ecuador, Egypt,* Honduras,* Luxembourg,* Malaysia,* Mexico, Namibia, Nicaragua,* Panama, Paraguay, Peru,* Philippines, South Africa, Thailand,* Turkey,* Venezuela (Bolivarian Republic of), Viet Nam, State of Palestine*: draft resolution

31/... The right to food

The Human Rights Council,

Recalling all previous resolutions of the General Assembly and the Human Rights Council on the right to food, as well as all resolutions of the Commission on Human Rights on the issue,

Recalling also the seventh special session of the Human Rights Council, at which the Council analysed the negative impact of the worsening of the world food crisis on the realization of the right to food for all, and Council resolutions S-7/1 of 22 May 2008, 9/6 of 18 September 2008 and 12/10 of 1 October 2009,

Recalling further the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition, the United Nations Millennium Declaration, in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015, and the 2030 Agenda for Sustainable Development,[1] in particular the Sustainable Development Goals on ending hunger, achieving food security and improved nutrition and promoting sustainable agriculture and on ending poverty in all its forms everywhere,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the right of everyone to adequate food, including the fundamental right of every person to be free from hunger, is recognized,

* Non-member State of the Human Rights Council.

[1] General Assembly resolution 70/1.

Please recycle

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action, adopted at the World Food Summit in November 1996, the Declaration of the World Food Summit: five years later, adopted on 13 June 2002, and the Declaration of the World Summit on Food Security, adopted on 16 November 2009,

Reaffirming the importance of the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004, and the Rome Declaration on Nutrition and its Framework for Action, adopted in Rome on 21 November 2014,

Acknowledging that the right to food is the right of every individual, alone or in community with others, to have physical and economic access at all times to sufficient, adequate and culturally acceptable food that is produced and consumed sustainably, preserving access to food for future generations,

Reaffirming the Five Rome Principles for Sustainable Global Food Security contained in the Declaration of the World Summit on Food Security,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food and nutrition security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies, where coordinated efforts and shared responsibilities are essential,

Reaffirming that food security is a national responsibility and that any plan for addressing food security challenges must be nationally articulated, designed, owned and led, and built on consultation with all key stakeholders, and recognizing the commitment to strengthening the multilateral system in the channelling of resources and in the promotion of policies dedicated to fighting hunger and malnutrition,

Recognizing that, despite the efforts made, the problems of hunger, food insecurity and malnutrition have a global dimension and that there has not been sufficient progress in reducing hunger, and that they could increase dramatically in some regions unless urgent, determined and concerted action is taken,

Recognizing also the complex character of the global food crisis, in which the right to food is threatened to be violated on a substantial scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation,

desertification and the impact of global climate change, as well as natural disasters and the lack of development in many countries and transfer of relevant technology to address this issue, particularly in developing countries, least developed countries and small island and vulnerable developing States, that are having a negative impact on the realization of the right to food, in particular in the said countries,

Convinced that the elimination of the current distortions in the agricultural trading system will allow local producers and poor farmers to compete and to sell their products, thereby facilitating the realization of the right to adequate food, while noting the commitment to continuing the agricultural trade discussions as mandated in the framework of the Doha Development Round of the World Trade Organization,

Resolved to act to ensure that the full realization of all human rights, including the right to development, is taken into account at the national, regional and international levels in addressing the global food crisis,

Recognizing the importance and positive role of smallholder and subsistence farmers, including women farmers, young farmers, family farmers and farmers in less favoured areas, cooperatives and indigenous and local communities in developing countries,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Recognizing the need to prioritize food security and end hunger, and the particular vulnerabilities of food systems to the adverse impacts of climate change, and, given this situation, that small and medium-sized farmers in developing countries need to receive technical, technology transfer and capacity-building support,

Stressing the need to increase official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the need to increase sustainable private and public investments in agriculture from all relevant sources for the realization of the right to food,

Recalling the endorsement of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security by the Committee on World Food Security at its thirty-eighth session, held on 11 May 2012, and by the Council of the Food and Agriculture Organization of the United Nations at its 144th session,

Recalling also the Principles for Responsible Investment in Agriculture and Food Systems, which were endorsed by the Committee on World Food Security at its forty-first session, held in October 2014, and transmitted to the governing bodies of the Food and Agriculture Organization of the United Nations for consideration,

Recalling further the reaffirmation by the Committee on Food Security at its forty-first session of the commitment to implement the Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security and to strive for the realization of the right to adequate food for all in the years to come,

Stressing the importance of the second International Conference on Nutrition, hosted by the World Health Organization and the Food and Agriculture Organization of the United Nations in Rome from 19 to 21 November 2014, at which the two main outcome documents, namely, the Rome Declaration on Nutrition and the Framework for Action, were endorsed,

Recognizing the importance of the protection and preservation of agrobiodiversity in guaranteeing food security and the right to food for all,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Recalling the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", endorsed by the General Assembly in its resolution 66/288 on 27 July 2012, and reaffirming the principles contained therein,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 die from hunger-related illness and that, as estimated by the Food and Agriculture Organization of the United Nations, about 795 million people in the world remain undernourished owing to the lack of sufficient food for conducting an active and healthy life, including as one of the effects derived from the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its deep concern* that, according to the report of the Food and Agriculture Organization of the United Nations entitled *The State of Food Insecurity in the World 2015*, the number of hungry people in the world remains unacceptably high and the vast majority of hungry people live in developing countries;

5. *Expresses its concern* at the fact that the effects of the world food crisis continue to have serious consequences for the poorest and most vulnerable people, particularly in developing countries, which have been further aggravated by the world financial and economic crisis, and at the particular effects of this crisis on many net food-importing developing countries, especially on least developed countries;

6. *Expresses its great concern* that, while women contribute more than 50 per cent of the food produced worldwide they also account for 70 per cent of the world's hungry, that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries girls are twice as likely as boys to die from malnutrition and preventable childhood diseases, and that it is estimated that almost twice as many women as men suffer from malnutrition;

7. *Recognizes* that reinforcing the rights of girls and women, especially those who are poor and vulnerable, to education and social protection and that increasing women's participation in decision-making and access to resources in an objective manner are critical for enhancing women's vital role in advancing agricultural development and food security, and recognizes also, in that regard, that the promotion of agro-industry through the dissemination of knowledge, the development and transfer of technology, capacity-building and financial support is a precondition for the involvement of women in advancing agriculture in developing countries;

8. *Encourages* all States to mainstream a gender perspective in food security programmes and to take action to address de jure and de facto gender inequality and discrimination against women, in particular where such inequality and discrimination contribute to the malnutrition of women and girls, including by taking measures to ensure the full and equal realization of the right to food and ensuring that women and girls have equal access to social protection and resources, including income, land and water, and their ownership, as well as full and equal access to health care, education, science and technology, to enable them to feed themselves and their families, and in this regard stresses the need to empower women and to strengthen their role in decision-making;

9. *Recognizes* the importance of smallholder and subsistence farmers in developing countries, including women and local and indigenous communities, in ensuring food security, reducing poverty and preserving ecosystems, and the need to assist their development;

10. *Encourages* the Special Rapporteur on the right to food to continue to mainstream a gender perspective in the fulfilment of her mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms that address the right to food and food insecurity to integrate and effectively implement a gender perspective in their relevant policies, programmes and activities regarding access to food;

11. *Reaffirms* the need to ensure that programmes delivering safe, sufficient, nutritious and culturally accepted food are inclusive and accessible to persons with disabilities;

12. *Encourages* States to take steps with a view to progressively achieving the full realization of the right to food for all and to take steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food and, where appropriate, to consider establishing appropriate institutional mechanisms and to adopt national plans to combat hunger;

13. *Underlines* the significance of national government policies and strategies in food production, poverty alleviation and social protection, as well as the importance of the national efforts made to ensure that women have equal access to State-sponsored benefits, facilities and services;

14. *Recognizes* the advances made through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food, and encourages States to increase such cooperation as a complement to North-South cooperation and to promote triangular cooperation further;

15. *Also recognizes* the importance of traditional sustainable agricultural practices, inter alia, traditional seed supply systems, including for many indigenous peoples and local communities;

16. *Stresses* that the primary responsibility of States is to promote and protect the right to food and that the international community should provide, through a coordinated response and upon request, international cooperation in support of national and regional efforts by providing the assistance necessary to increase food production and access to food, particularly through agricultural development assistance, the transfer of technology, food crop rehabilitation assistance and food aid, ensuring food security, with special attention to the specific needs of women and girls, support for the development of adapted technologies, research on rural advisory services and support for access to financing services, and ensure support for the establishment of secure land tenure systems;

17. *Calls upon* States parties to the International Covenant on Economic, Social and Cultural Rights to fulfil their obligations under article 2, paragraph 1, and article 11, paragraph 2, in particular with regard to the right to adequate food;

18. *Calls upon* States, individually and through international cooperation and assistance, relevant multilateral institutions and other relevant stakeholders, to take all the measures necessary to ensure the realization of the right to food as an essential human rights objective, and to consider reviewing any policy or measure that could have a negative impact on the realization of the right to food, particularly the right of everyone to be free from hunger, before instituting such a policy or measure;

19. *Stresses* that improving access to productive resources and investment in rural development is essential for eradicating hunger and poverty, in particular in developing countries, through, inter alia, the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts, as well as in programmes, practices and policies to scale up agroecological approaches;

20. *Recognizes* that 70 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises, including through the facilitation of access of their products to national and international markets and empowerment of small producers, particularly women, in value chains, is a key element for food security and the provision of the right to food;

21. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

22. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples, and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concern over the obstacles and challenges to the full enjoyment of the right to food that indigenous peoples face, and calls upon States to take special actions to combat the root causes of the often disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

23. *Welcomes* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[2] held on 22 and 23 September 2014, and the commitment to developing, in conjunction with the indigenous peoples concerned and where appropriate, policies, programmes and resources to support indigenous peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition;

[2] General Assembly resolution 69/2.

24. *Requests* all States, private actors, international organizations and agencies, within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in ongoing negotiations in different fields;

25. *Encourages* all relevant international organizations and agencies to bring a human rights perspective and the need for the realization of the right to food for all to their studies, research, reports and resolutions on the issue of food security;

26. *Recognizes* the need to strengthen national commitments and international assistance, upon the request of and in cooperation with affected countries, towards the full realization and protection of the right to food and, in particular, to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

27. *Notes with appreciation* the growing movement, in different regions of the world, towards the adoption of framework laws, national strategies and measures in support of the full realization of the right to food for all;

28. *Recognizes* the importance of giving due consideration to the adverse impact of climate change on the full realization of the right to food;

29. *Recognizes also* the impact of the current cycle of El Niño in agricultural production and food security around the world and the importance of designing and implementing actions to reduce its effects, particularly on vulnerable populations such as rural women, bearing in mind the role they play in supporting their households and communities in achieving food and nutrition security, generating income and improving rural livelihoods and overall well-being;

30. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

31. *Encourages* States to consider developing their legal structures in order to protect resources directly related to the right to food, such as water resources, access to land and seed production;

32. *Calls for* the conclusion to and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions permitting the full realization of the right to food;

33. *Stresses* that all States should make every effort to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

34. *Encourages* the Special Rapporteur to continue to cooperate with States in order to enhance the contribution of development cooperation and food aid to the realization of the right to food, within existing mechanisms, taking into account the views of all stakeholders;

35. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

36. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and once again invites all international financial and development institutions, as well as the relevant United Nations

agencies and funds, to give priority to and provide the funding necessary to realize the right to food, as set out in the Rome Declaration on World Food Security, and to achieve the aims of Sustainable Development Goal 2 and other food and nutrition-related targets;

37. *Reaffirms* that integrating food and nutritional support with the goal of ensuring that all people at all times have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other diseases;

38. *Calls upon* all States and, where appropriate, relevant international organizations:

(*a*) To combat the different forms of malnutrition as a means to realize the right to adequate food, including, if appropriate, by adopting a national strategy in this regard;

(*b*) To take measures and support programmes that are aimed at combating the irreversible effects of chronic undernutrition in early childhood, in particular by targeting the first thousand days of a child's life;

(*c*) To support the national plans and programmes of States to improve nutrition in poor households, in particular plans and programmes that are aimed at combating undernutrition in mothers and children, and those targeting the irreversible effects of chronic undernutrition in early childhood, from gestation to the age of 2 years;

(*d*) To implement policies and programmes to reduce and eliminate preventable mortality and morbidity, as a result of malnutrition, of children under 5 years of age;

39. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

40. *Stresses* the importance of international cooperation and development assistance as an effective contribution to both the expansion and improvement of agriculture and its environmental sustainability, and the provision of humanitarian food assistance in activities relating to emergency situations for the realization of the right to food and the achievement of sustainable food security, while recognizing that each State has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

41. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on its realization;

42. *Calls upon* the private sector, including transnational corporations, to support investment and innovation, recognizing women's economic empowerment, to help, inter alia, increase small-scale farmers' participation in markets and agriculture food chains;

43. *Encourages* the Special Rapporteur to continue her collaboration with relevant international organizations and United Nations agencies, programmes and funds, in particular the Rome-based ones, including the Food and Agriculture Organization of the United Nations, the International Fund for Agricultural Development and the World Food Programme, in order to contribute to ensuring that the right to food is promoted further within these organizations, in accordance with their respective mandates, including for the advancement of smallholders and agricultural workers in both developing and least developed countries;

44. *Reaffirms* that all States should take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of the right to food by all appropriate means, including particularly the adoption of legislative measures;

45. *Encourages* all States to consider developing awareness-raising campaigns to ensure that rights holders have access to information on the right to food and on any obligation pertaining thereto;

46. *Underlines* the importance of effective remedies for violations of the right to food;

47. *Takes note with appreciation* of the report of the Special Rapporteur;[3]

48. *Supports* the fulfilment of the mandate of the Special Rapporteur, as established by the Human Rights Council in its resolution 6/2 of 27 September 2007;

49. *Requests* the Special Rapporteur, as part of the mandate, to continue to monitor the evolution of the world food crisis and, in the context of the mandate and regular reports, to keep the Human Rights Council informed of the impact of the crisis on the enjoyment of the right to food and to alert it to possible further actions in this regard;

50. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide all the human and financial resources necessary for the continuation of the effective fulfilment of the mandate of the Special Rapporteur;

51. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in her task by supplying all necessary information requested by the mandate holder and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable her to fulfil her mandate more effectively;

52. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors, including non-governmental organizations, and the private sector to cooperate fully with the Special Rapporteur in the fulfilment of her mandate through, inter alia, the submission of comments and suggestions on ways and means of realizing the right to food;

53. *Requests* the Special Rapporteur to submit a report on the implementation of the present resolution to the Human Rights Council at its thirty-fourth session;

54. *Decides* to continue consideration of this matter under the same agenda item at its thirty-fourth session.

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[3] A/HRC/31/51.